







G E M S

O F

IRISH ELOQUENCE,

WIT AND ANECDOTE.

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By JAMES HOBAN,

OF THE WASHINGTON BAR.  
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P R E F A C E.



THE character of the Irish people, to an observing mind, presents peculiar ingredients of interest. That character has imprinted itself upon the destiny, and history, of many of the modern nations. Congeniality of disposition and feeling, and that which the Declaration of Independence calls "an inalienable right," the search after happiness, have made our shores the recipient of a large proportion of the over abundant population of Erin.

Her history—alternating from splendor and triumph to discomfiture and squalid misery, from the changing and improving present, to undoubted antiquity and the poetic past,—is well calculated to arrest and to rivet the attention.

Who does not delight to recur to the period when the keel of the daring Phœnician first grated on her sands, or to wander in imagination by the towers and the trophies of their worship, to contemplate the manners and the language of a people, presenting in these particulars so little affinity with the races and the nations by which they are surrounded?

We read in the spirit of the history of heroic ages, of the splendor of her halls, the hospitality of her princes, the poetry of her bards, whilst from her ancient harp a flood of melody is poured upon our listening ears.

When other nations were swept by the tide of war, when discord and darkness like thickening clouds settled upon them, she was blessed with peace, prosperity and light! From her secluded seats, of learning and of grace, she sent her heralds and her ministers abroad to illuminate the world. Cruel reverses indeed,

and protracted periods of disaster, it has been her fate to endure, but again in our latter day she has emerged, in some degree, from the abasement to which a cowardly tyranny had consigned her, and by the union and energy of her sons aspires with a boldness, promising success, to the dignity of her ancient national independence.

It is proposed in the ensuing pages to present, from example, history, and fact, a picture of the peculiar qualities of Irishmen, their bravery, eloquence and wit.

My object has been as far as possible, in the examples which I have cited, to develop not only the virtues of Irishmen, but so to have selected the different narratives that they might revive recollections, and retrace the course of recent history, familiar to the bosoms and the memories of many whose eyes may rest upon these pages.

Another favorite object has been, to present in a condensed shape, the style and the excerpted brilliancies from the productions of the more prominent of the Irish orators, particularly from those who have made their home the scene of their exertions, and whose efforts combine the mingled attractions of genius and of history.

It has been well remarked, that although the school of Irish eloquence is plainly different from every other, that each master in that school is just as clearly distinguishable from the rest. Each indeed is captivating, each peculiar in his manner of captivation; brilliant and beautiful, full of energy and pathos, yet do they vary as widely as the blushing rose, from the gaudy tulip, or as both from the snowy magnolia, whose budding, scents the universal air with profusion of fragrance.

Grattan, whose noble efforts are so inseparably intertwined with the advancement of his country, whose voice sounding above the grave of Irish independence, by its trumpet peal recalled it to a temporary resurrection, was himself no copyist, nor was he copied by those who succeeded him. He is bold, energetic, rapid, concise, clear—a limpid stream within the narrowest bounds, hurrying on its course, whilst his magnificent and seemingly unstudied metaphors are like the uncultured oaks, which on a river's bank lift up their leafy heads, or stretch abroad their widening boughs. He is chaste, terse, logical and severe. The style of his great rival, Mr. Flood, was still less adorned. He is distinguished for lucidness of argument, for logic, searching and convincing. Their mutual altercations, especially upon the matter of simple repeal, are highly interesting, as attesting their pow-

ers of aggression and defence, their command of satire, point and invective.

Far different from these do we find the distinguished advocate, Mr. Curran, a star of the first magnitude in the heavens of genuine eloquence! His was the fire of Demosthenes, the majesty of Chatham, the purity of Cicero. This may seem unqualified eulogium—but before such language is condemned, let the critic peruse the speech in the case of Massy *vs.* Headfort, the allusion, in the defence of Hamilton Rowan, to universal emancipation, the description of the informer O'Brian. Lord Byron observed of Mr. Curran, that he had spoken more poetry than any man had ever written; when we reflect on the circumstances under which his speeches were delivered, that those gorgeous passages which now command the admiration of the world, were poured forth with the rapidity of improvisation, we are

compelled to admit that he was certainly one of the most extraordinary, and most highly gifted of the children of genius. The cataract which falls in thunder, dashing up its spray in myriad glittering gems, might image his deep intensity of passion—his unequalled brilliancy and splendor of expression.

From Phillips, Plunket, Burke, Burrowes, and others, rich specimens of reasoning and declamation are collected. The space allowed to remarks of a prefatory character, prevents further extension upon this point.

A considerable portion of this work is devoted to incidents and matters, deserving of reminiscence, in the history of Ireland, and of her men of eminence. Many details are also here collected, which are thought worthy of preservation, in exemplification of the virtue and genius of her humble and unaspiring sons.

It may be proper to state, in order to pre-

vent misapprehension, that but little ambition of authorship is indulged by the compiler. I have drawn liberally from every source within my reach, in the attainment of my purpose. When I had advanced somewhat in the consummation of my design, I discovered that a work, in some respects similar, had been presented to the English public by Mr. Phillips. Had I known this sooner it would have saved me much manuscript labor. To several works and authors I am peculiarly indebted, and amongst the latter to the writer of the life of Mr. Curran, one of his sons who, in doing justice to the memory of his father, has produced one of the most interesting and brilliant specimens of biography belonging to our language. The reader will also perceive the liberality with which I have appropriated the labors of Tone, Sampson and Moore. My great object has been to present Irish character through the

medium of its fruits, as exhibited in literature and in facts. My purpose has been to gather the disjointed elements, which united, constitute a pyramid more enduring and more glorious than the lofty memorials of the deserts of the east—to gather into a wreath scattered flowers of wit, eloquence, bravery, and truth, and, with a hand however unworthy, to bind them in their beauty around the ancient brow of Erin.

JAMES HOBAN.

WASHINGTON, *April* 20, 1841.

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GEMS OF IRISH ELOQUENCE, &c.

PATRIOTIC SPEECH OF MR. EMMET,

AS DELIVERED AT THE SESSION HOUSE, DUBLIN, BEFORE LORD
NORBURY.

MY LORDS:

What have I to say why sentence of death should not be pronounced on me, according to law? I have nothing to say, that can alter your predetermination, nor that it will become me to say with any view to the mitigation of that sentence which you are here to pronounce, and I must abide by it. But I have that to say, which interests me more than life, and which you have labored, (as was necessarily your office in the present circumstances of this oppressed country,) to destroy. I have much to say why my reputation should be rescued from the load of false accusation and calumny which has been heaped upon it. I do not imagine that, seated where you are, your minds can be so free from impurity, as to receive the least impression from what I am going to utter—I have no hopes that I can anchor my character in the breast of a court constituted and trammelled as this is—I only wish, and it is the utmost I expect, that your lordships may suffer it to float down your memories untainted by the foul breath of prejudice, until it finds

some more hospitable harbor to shelter it from the storm by which it is at present buffeted. Were I only to suffer death, after being adjudged guilty by *your* tribunal, I should bow in silence, and meet the fate that awaits me without a murmur: but the sentence of the law which delivers my body to the executioner, will, through the ministry of that law, labor in its own vindication, to consign my character to obloquy—for there must be guilt somewhere: whether in the sentence of the court or in the catastrophe, posterity must determine. A man in my situation, my lords, has not only to encounter the difficulties of fortune, and the force of power over minds which it has corrupted or subjugated, but the difficulties of established prejudice:—the man dies, but his memory lives: that mine may not perish, that it may live in the respect of my countrymen, I seize upon this opportunity to vindicate myself from some of the charges alleged against me. When my spirit shall be wafted to a more friendly port; when my shade shall have joined the bands of those martyred heroes who have shed their blood on the scaffold and in the field, in defence of their country and of virtue, this is my hope; I wish that my memory and name may animate those who survive me, while I look down with complacency on the destruction of that perfidious government, which upholds its domination by blasphemy of the Most High—which displays its power over man as over the beasts of the forest—which sets man upon his brother, and lifts his hand in the name of God against the throat of his fellow who believes or doubts a little more or a little less than the government standard—a government which is

steeled to barbarity by the cries of the orphans and the tears of the widows which it has made.

[*Here lord Norbury interrupted Mr. Emmet, saying, that the mean and wicked enthusiasts who felt as he did, were not equal to the accomplishment of their wild designs.*]

——I appeal to the immaculate God—I swear by the throne of Heaven, before which I must shortly appear—by the blood of the murdered patriots who have gone before me—that my conduct has been through all this peril and all my purposes, governed only by the convictions which I have uttered, and by no other view, than that of their cure, and the emancipation of my country from the super-inhuman oppression under which she has so long and too patiently travailed; and that I confidently and assuredly hope, that, wild and chimerical as it may appear, there is still union and strength in Ireland to accomplish this noble enterprise. Of this I speak with the confidence of intimate knowledge, and with the consolation that appertains to that confidence. Think not, my lord, I say this for the petty gratification of giving you a transitory uneasiness; a man who never yet raised his voice to assert a lie, will not hazard his character with posterity by asserting a falsehood on a subject so important to his country, and on an occasion like this. Yes, my lords, a man who does not wish to have his epitaph written until his country is liberated, will not leave a weapon in the power of envy; nor a pretence to impeach the probity which he means to preserve even in the grave to which tyranny consigns him.

[*Here he was again interrupted by the court.*]

Again I say, that what I have spoken, was not intended for your lordship, whose situation I commiserate rather than envy—my expressions were for my countrymen; if there is a true Irishman present, let my last words cheer him in the hour of his affliction.

[Here he was again interrupted. Lord Norbury said he did not sit there to hear treason.]

I have always understood it to be the duty of a judge when a prisoner has been convicted, to pronounce the sentence of the law; I have also understood that judges sometimes think it their duty to hear with patience, and to speak with humanity; to exhort the victim of the laws, and to offer with tender benignity his opinions of the motives by which he was actuated in the crime, of which he had been adjudged guilty: that a judge has thought it his duty so to have done, I have no doubt—but where is the boasted freedom of your institutions, where is the vaunted impartiality, clemency, and mildness of your courts of justice, if an unfortunate prisoner, whom your policy, and not pure justice, is about to deliver into the hands of the executioner, is not suffered to explain his motives sincerely and truly, and to vindicate the principles by which he was actuated?

My lords, it may be a part of the system of angry justice, to bow a man's mind by humiliation to the purposed ignominy of the scaffold; but worse to me than the intended disgrace, or the scaffold's terrors, would be the shame of such foul and unfounded imputations as have been laid against me in this court: you, my lord, are a judge, I am the supposed culprit; I am a man, you are a man also; by a revolution of power,

we might change places, though we never could change characters; if I stand at the bar of this court, and dare not vindicate my character, what a farce is your justice? If I stand at this bar and dare not vindicate my character, how dare you calumniate it? Does the sentence of death which your unhallowed policy inflicts on my body, also condemn my tongue to silence, and my reputation to reproach? Your executioner may abridge the period of my existence; but while I exist, I shall not forbear to vindicate my character and motives from your aspersions; and as a man to whom fame is dearer than life, I will make the last use of life in doing justice to that reputation which is to live after me, and which is the only legacy I can leave to those I honor and love, and for whom I am proud to perish. As men, my lord, we must appear at the great day at one common tribunal, and it will then remain for the Searcher of all hearts to show a collective universe who was engaged in the most virtuous actions, or actuated by the purest motives—my country's oppressors or—

[Here he was interrupted, and told to listen to the sentence of the law.]

My lord, will a dying man be denied the legal privilege of exculpating himself, in the eyes of the community, of an undeserved reproach thrown upon him during his trial, by charging him with ambition, and attempting to cast away, for a paltry consideration, the liberties of his country? Why did your lordship insult me? or rather why insult justice, in demanding of me why sentence of death should not be pronounced? I know, my lord, that form prescribes that you should

ask the question; the form also presumes a right of answering. This no doubt may be dispensed with—and so might the whole ceremony of trial, since sentence was already pronounced at the castle, before your jury was empannelled; your lordships are but the priests of the oracle, and I submit; but I insist on the whole of the forms.

[*Here the Court desired him to proceed.*]

I am charged with being an emissary of France! An emissary of France! And for what end? It is alleged that I wished to sell the independence of my country! And for what end? Was this the object of my ambition? And is this the mode by which a tribunal of justice reconciles contradictions? No, I am no emissary; my ambition was to hold a place among the deliverers of my country; not in power, nor in profit, but in the glory of the achievement! Sell my country's independence to France! And for what? Was it for a change of masters? No! But for ambition! O my country! was it personal ambition that could influence me; had it been the soul of my actions, could I not by my education and fortune, by the rank and consideration of my family, have placed myself among the proudest of her oppressors? My country was my idol; to it I sacrificed every selfish, every endearing sentiment; and for it, I now offer up my life. O God! No my lord; I acted as an Irishman, determined on delivering my country from the yoke of a foreign and unrelenting tyranny, and from the more galling yoke of a domestic faction, which is its joint partner and perpetrator in the parricide, for the ignominy of existing with an exterior of splendor and of conscious de-

pravity. It was the wish of my heart to extricate my country from this doubly riveted despotism.

I wished to place her independence beyond the reach of any power on earth; I wished to exalt you to that proud station in the world.

Connexion with France was indeed intended, but only as far as mutual interest would sanction or require. Were they to assume any authority inconsistent with the purest independence, it would be the signal for their destruction; we sought aid, and we sought it, as we had assurances we should obtain it; as auxiliaries in war—and allies in peace.

Were the French to come as invaders or enemies, uninvited by the wishes of the people, I should oppose them to the utmost of my strength. Yes, my countrymen, I should advise you to meet them on the beach, with a sword in one hand, and a torch in the other; I would meet them with all the destructive fury of war; and I would animate my countrymen to immolate them in their boats, before they had contaminated the soil of my country. If they succeeded in landing, and if forced to retire before superior discipline, I would dispute every inch of ground, burn every blade of grass, and the last intrenchment of liberty should be my grave. What I could not do myself, if I should fall, I should leave as a last charge to my countrymen to accomplish; because I should feel conscious that life, any more than death, is unprofitable, when a foreign nation holds my country in subjection.

But it was not as an enemy that the succours of France were to land; I looked indeed for the assistance of France; but I wished to prove to France and

to the world, that Irishmen deserved to be assisted! That they were indignant at slavery, and ready to assert the independence and liberty of their country.

I wished to procure for my country the guarantee which Washington procured for America. To procure an aid, which, by its example, would be as important as its valor, disciplined, gallant, pregnant with science and experience; who would perceive the good, and polish the rough points of our character; they would come to us as strangers, and leave us as friends, after sharing in our perils and elevating our destiny. These were my objects; not to receive new task-masters, but to expel old tyrants; these were my views, and these only became Irishmen. It was for these ends I sought aid from France, because France, even as an enemy, could not be more implacable than the enemy already in the bosom of my country.

[Here he was interrupted by the court.]

I have been charged with that importance in the efforts to emancipate my country, as to be considered the *key-stone* of the combination of Irishmen; or, as your lordship expressed it, “the life and blood of the conspiracy.” You do me honor over-much. You have given to the subaltern all the credit of a superior. There are men engaged in this *conspiracy*, who are not only superior to me, but even to your own conceptions of yourself, my lord; men, before the splendor of whose genius and virtues, I should bow with respectful deference, and who would think themselves dishonored to be called your friend—who would not disgrace themselves by shaking your blood-stained hand.

[Here he was interrupted.]

What my lord, shall you tell me, on the passage to that scaffold, which that tyranny, of which you are only the intermediary executioner, has erected for my murder, that I am accountable for all the blood that has, and will be shed in this struggle of the oppressed against the oppressor?—shall you tell me this—and must I be so very a slave as not to repel it?

I do not fear to approach the omnipotent Judge, to answer for the conduct of my whole life; and am I to be appalled and falsified by a mere remnant of mortality here? By you too, who, if it were possible to collect all the innocent blood that you have shed in your unhallowed ministry, in one great reservoir, your lordship might swim in it.

[Here the Judge interfered.]

Let no man dare, when I am dead, to charge me with dishonor; let no man attaint my memory by believing that I could have engaged in any cause but that of my country's liberty and independence; or that I could have become the pliant minion of power in the oppression or the miseries of my countrymen. The proclamation of the provisional government speaks for our views; no inference can be tortured from it to countenance barbarity or debasement at home, or subjection, humiliation, or treachery from abroad; I would not have submitted to a foreign invader, for the same reason that I would resist the foreign and domestic oppressor; in the dignity of freedom I would have fought upon the threshold of my country, and its enemy should enter only by passing over my lifeless corpse. Am I, who lived but for my country, and who have subjected myself to the dangers of the jealous and watchful oppressor, and the bondage of the grave,

only to give my countrymen their rights, and my country her independence, and am I to be loaded with calumny, and not suffered to resent or repel it?—No, God forbid!

If the spirits of the illustrious dead participate in the concerns and cares of those who are dear to them in this transitory life—O ever dear and venerated shade of my departed father, look down with scrutiny upon the conduct of your suffering son; and see if I have even for a moment deviated from those principles of morality and patriotism which it was your care to instil into my youthful mind, and for which I am now to offer up my life.

My lords, you are impatient for the sacrifice—the blood which you seek, is not congealed by the artificial terrors which surround your victim; it circulates warmly and unruffled, through the channels which God created for noble purposes, but which you are bent to destroy, for purposes so grievous, that they cry to heaven.—Be yet patient! I have but a few words more to say.—I am going to my cold and silent grave: my lamp of life is nearly extinguished: my race is run: the grave opens to receive me, and I sink into its bosom! I have but one request to ask at my departure from this world—it is the charity of its silence! Let no man write my epitaph: for as no man who knows my motives dare *now* vindicate them, let not prejudice or ignorance asperse them. Let them and me repose in obscurity and peace, and my tomb remain uninscribed, until other times, and other men can do justice to my character; when my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written.—I have done.

BRITISH JUSTICE.

FROM MR. SHERIDAN'S SPEECH IMPEACHING WARREN HASTINGS.

IN the course of his exordium, after dwelling upon the great importance of the inquiry in which they were engaged, and disclaiming for himself and his brother managers any feeling of personal malice against the defendant, or any motive but that of retrieving the honor of the British name in India, and bringing down punishment upon those whose inhumanity and injustice had disgraced it, he thus proceeds to conciliate the court by a warm tribute to the purity of English justice:—

“However, when I have said this, I trust your lordships will not believe that, because something is necessary to retrieve the British character, we call for an example to be made, without due and solid proof of the guilt of the person whom we pursue:—no, my lords, we know well that it is the glory of this constitution, that not the general fame or character of any man—not the weight or power of any prosecutor—no plea of moral or political expediency—not even the secret consciousness of guilt, which may live in the bosom of the Judge, can justify any British court in passing any sentence, to touch a hair of the head, or an atom in any respect, of the property, of the fame, of the liberty of the poorest or meanest subject that breathes

the air of this just and free land. We know, my lords, that there can be no legal guilt without legal proof, and that the rule which defines the evidence is as much the law of the land as that which creates the crime. It is upon that ground we mean to stand."

The acceptance, or rather exaction of the private present of one hundred thousand pounds, is thus animadverted upon:

"My lords, such was the distressed situation of the Nabob about a twelvemonth before Mr. Hastings met him at Chunar. It was a twelvemonth, I say, after this miserable scene—a mighty period in the progress of British rapacity—it was (if the Counsel will) after some natural calamities had aided the superior vigor of British violence and rapacity—it was after the country had felt other calamities besides the English—it was after the angry dispensations of Providence had, with a progressive severity of chastisement, visited the land with a famine one year, and with a Col. Hannay the next—it was after he, this Hannay, had returned to retrace the steps of his former ravages—it was after he and his voracious crew had come to plunder ruins which himself had made, and to glean from desolation the little that famine had spared, or rapine overlooked;—*then* it was that this miserable bankrupt prince marching through his country, besieged by the clamors of his starving subjects, who cried to him for protection through their cages—meeting the curses of some of his subjects, and the prayers of others—with famine at his heels, and reproach following him,—then it was that this prince is represented as exercising this act of prodigal bounty

to the very man whom he here reproaches—to the very man whose policy had extinguished his power, and whose creatures had desolated his country. To talk of a free-will gift! it is audacious and ridiculous to name the supposition. It was *not* a free-will gift. What was it then? Was it a bribe? or was it extortion? I shall prove it was both—it was an act of gross bribery and of rank extortion.”

Again he thus adverts to this present:—

“The first thing he does is, to leave Calcutta, in order to go to the relief of the distressed Nabob. The second thing, is to take one hundred thousand pounds from that distressed Nabob on account of the distressed company. And the third thing is to ask of the distressed company this very same sum on account of the distresses of Mr. Hastings. There never were three distresses that seemed so little reconcileable with one another.”

STATE NECESSITY.

ANTICIPATING the plea of State necessity, which might possibly be set up in defence of the measures of the Governor General, he breaks out into the following rhetorical passage—

“State necessity! no my lords; that imperial tyrant, *State Necessity*, is yet a generous despot,—bold is his demeanor, rapid his decisions, and terrible his grasp. But what he does, my lords, he dares avow, and avowing, scorns any other justification, than the great motives which placed the iron sceptre in his hand. But a quibbling, pilfering, prevaricating State necessity, that tries to skulk behind the skirts of justice;—a State necessity that tries to steal a pitiful justification from whispered accusations and fabricated rumors,—no! my lords, that is no State necessity;—tear off the mask, and you see coarse, vulgar avarice—you see speculation lurking under the gaudy disguise, and adding the guilt of libelling the public honor to its own private fraud.

“My lords, I say this, because I am sure the managers would make every allowance that State necessity could claim upon any great emergency. If any great man in bearing the arms of this country;—if any admiral, bearing the vengeance and the glory of Britain to distant coasts, should be compelled to some rash

acts of violence, in order, perhaps, to give food to those who are shedding their blood for Britain;—if any great general, defending some fortress, barren itself, perhaps, but a pledge of the pride, and, with the pride of the power of Britain; if such a man were to *

* * while he himself was * * at the top, like an eagle besieged in its imperial nest;—would the commons of England come to accuse or to arraign such acts of State necessity? No.”

His description of the desolation brought upon some provinces of Oude by the misgovernment of Col. Hannay, and of the insurrection at Goruckpore against that officer in consequence, is, perhaps, the most masterly portion of the whole speech:—

“If we could suppose a person to have come suddenly in the country, unacquainted with any circumstances that had passed since the days of Sujah ul Dowlah, he would naturally ask—what cruel hand has wrought this wide desolation, what barbarian foe has invaded the country, has desolated its fields, depopulated its villages? He would ask, what disputed succession, civil rage, or frenzy of the inhabitants, had induced them to act in hostility to the word of God, and the beauteous works of man? He would ask what religious zeal or frenzy had added to the mad despair and horrors of war? The ruin is unlike any thing that appears recorded in any age; it looks like neither the barbarities of men, nor the judgments of vindictive heaven. There is a waste of desolation, as if caused by fell destroyers, never meaning to return, and making but a short period of their rapacity. It looks as if some fabled monster had made its passage through the

country, whose pestiferous breath had blasted more than its voracious appetite could devour."

"If there had been any men in the country, who had not their hearts and souls so subdued by fear, as to refuse to speak the truth at all upon such a subject, they would have told him there had been no war since the time of Sujah ul Dowlah—tyrant, indeed, as he was, but then deeply regretted by his subjects—that no hostile blow of any enemy had been struck in that land—that there had been no disputed succession—no civil war—no religious frenzy. But that these were the tokens of British friendship, the marks left by the embraces of British allies—more dreadful than the blows of the bitterest enemy. They would tell him that these allies had converted a prince into a slave, to make him the principal in the extortion upon his subjects;—that their rapacity increased in proportion as the means of supplying their avarice diminished; that they made the sovereign pay as if they had a right to an increased price, because the labor of extortion and plunder increased. To such causes, they would tell him these calamities were owing.

"Need I refer your lordships to the strong testimony of Major Naylor when he rescued Col. Hannay from their hands—where you see that this people, born to submission and bent to most abject subjection—that even they, in whose meek hearts injury had never yet begot resentment, nor even despair bred courage—that *their* hatred, *their* abhorrence of Col. Hannay was such that they clung round him by thousands and thousands; that when Major Naylor rescued him, they refused life from the hand that could rescue Hannay;—that

they nourished this desperate consolation, that by their death they should at least thin the number of wretches who suffered by his devastation and extortion. He says that, when he crossed the river, he found the poor wretches quivering upon the parched banks of the polluted stream, encouraging their blood to flow, and consoling themselves with the thought, that it would not sink into the earth, but rise to the common God of humanity, and cry aloud for vengeance on their destroyers!—This warm description—which is no declamation of mine, but founded in actual fact, and in fair, clear proof before your lordships—speaks powerfully what the cause of these oppressions were, and the perfect justness of those feelings that were occasioned by them. And yet, my lords, I am asked to prove *why* these people arose in such concert;—‘there must have been machinations, forsooth, and the Begums’ machinations, to produce all this!’—Because they were people in human shape; because patience under the detested tyranny of man is rebellion to the sovereignty of God; because allegiance to that Power that gives us the *forms* of men commands us to maintain the *rights* of men. And never yet was this truth dismissed from the human heart—never in any time, in any age—never in any clime, where rude man ever had any social feeling, or where corrupt refinement had subdued all feelings—never was this one inextinguishable truth destroyed from the heart of man, placed, as it is, in the core and centre of it by his Maker, that man was not made the property of man; that human power is a trust for human benefit; and that when it is abused, revenge becomes justice, if not the bounden duty of the

injured. These, my lord, were the causes why these people rose."

Another passage in the second day's speech is remarkable, as exhibiting a sort of tourney of intellect between Sheridan and Burke, and in that field of abstract speculation, which was the favorite arena of the latter. Mr. Burke had, in opening the prosecution, remarked, that prudence is a quality incompatible with vice, and can never be effectively enlisted in its cause:—"I never," said he, "knew a man who was bad, fit for *service* that was good. There is always some disqualifying ingredient, mixing and spoiling the compound. The man seems paralytic on that side, his muscles there have lost their very tone and character—they cannot move. In short, the accomplishment of any thing good is a physical impossibility for such a man. There is decrepitude as well as distortion—he could not, if he would, is not more certain than that he would not, if he could." To this sentiment the allusions in the following passage refer:—

"I am perfectly convinced that there is one idea which must arise in your lordships' minds as a subject of wonder—how a person of Mr. Hastings' reputed abilities can furnish such matter of accusation against himself. For, it must be admitted that never was there a person who seems to go so rashly to work, with such an arrogant appearance of contempt for all conclusions, that may be deduced from what he advances upon the subject. When he seems most earnest and laborious to defend himself, it appears as if he had but one idea uppermost in his mind—a determination not

to care what he says, provided he keeps clear of fact. He knows that truth must convict him, and concludes *è converso*, that falsehood will acquit him; forgetting that there must be some connection, some system, some co-operation, or, otherwise, his host of falsities fall without an enemy, self-discomfited and destroyed. But of this he never seems to have had the slightest apprehension. He falls to work, an artificer of fraud, against all the rules of architecture;—he lays his ornamental work first, and his massy foundation at the top of it; and thus his whole building tumbles upon his head. Other people look well to their ground, choose their position, and watch whether they are likely to be surprised there; but he, as if in the ostentation of his heart, builds upon a precipice, and encamps upon a mine, from choice. He seems to have no one actuating principle, but a steady, persevering resolution not to speak the truth or to tell the fact.

“It is impossible almost to treat conduct of this kind with perfect seriousness; yet I am aware that it ought to be more seriously accounted for, because I am sure it has been a sort of paradox, which must have struck your lordships, how any person having so many motives to conceal—having so many reasons to dread detection, should yet go to work so clumsily upon the subject. It is possible, indeed, that it may raise this doubt—whether such a person is of sound mind enough to be a proper object of punishment; or at least it may give a kind of confused notion, that the guilt cannot be of so deep and black a grain, over which such a thin veil was thrown, and so little trouble taken to avoid detection. I am aware that, to account for this seem-

ing paradox, historians, poets, and even philosophers—at least of ancient times, have adopted the superstitious solution of the vulgar, and said that the gods deprive men of reason whom they devote to destruction or to punishment. But to unassuming or unprejudiced reason, there is no need to resort to any supposed supernatural interference; for the solution will be found in the eternal rules that formed the mind of man, and gave a quality and nature to every passion that inhabits in it.

“An honorable friend of mine, who is now, I believe, near me—a gentleman, to whom I never can on any occasion refer without feelings of respect, and, on this subject, without feelings of the most grateful homage;—a gentleman, whose abilities upon this occasion, as upon some former ones, happily for the glory of the age in which we live, are not entrusted merely to the perishable eloquence of the day, but will live to be the admiration of that hour when all of us are mute, and most of us forgotten;—that honorable gentleman has told you that Prudence, the first of virtues, never can be used in the cause of vice. If, reluctant and diffident, I might take such a liberty, I should express a doubt, whether experience, observation, or history, will warrant us in fully assenting to this observation. It is a noble and a lovely sentiment, my lords, worthy the mind of him who uttered it, worthy that proud disdain, that generous scorn of the means and instruments of vice, which virtue and genius must ever feel. But I should doubt whether we can read the history of a Philip of Macedon, a Cæsar, or a Cromwell, without confessing, that there have been evil purposes, bane-

ful to the peace and to the rights of men, conducted— if I may not say, with prudence or with wisdom—yet with awful craft and most successful and commanding subtlety. If, however, I might make a distinction, I should say that it is the proud attempt to mix a *variety* of lordly crimes, that unsettles the prudence of the mind, and breeds this distraction of the brain. *One* master-passion, domineering in the breast, may win the faculties of the understanding to advance its purpose, and to direct to that object every thing that thought or human knowledge can effect; but, to succeed, it must maintain a solitary despotism in the mind; each rival profligacy must stand aloof, or wait in abject vassalage upon its throne. For, the Power, that has not forbidden the entrance of evil passions into man's mind, has, at least, forbidden their union;—if they meet they defeat their objects, and their conquest, or their attempt at it, is tumult. Turn to the Virtues—how different the decree! Formed to connect, to blend, to associate, and to co-operate; bearing the same course, with kindred energies and harmonious sympathy, each perfect in its own lovely sphere, each moving in its wider or more contracted orbit, with different, but concentrating powers, guided by the same influence of reason, and endeavoring at the same blessed end—the happiness of the individual, the harmony of the species, and the glory of the Creator. In the Vices, on the other hand, it is the discord that insures the defeat—each clamors to be heard in its own barbarous language; each claims the exclusive cunning of the brain; each thwarts and reproaches the other; and even while their fell rage assails with common hate, the peace and

virtue of the world, the civil war among their own tumultuous legions defeats the purpose of the foul conspiracy. These are the furies of the mind, my lords, that unsettle the understanding; these are the furies that destroy the virtue Prudence—while the distracted brain and shivered intellect proclaim the tumult that is within, and bear their testimony, from the mouth of God himself, to the foul condition of the heart.”

FILIAL AFFECTION.

“WHEN I see in many of these letters the infirmity of age made a subject of mockery and ridicule; when I see the feelings of a son treated by Mr. Middleton as puerile and contemptible; when I see an order given by Mr. Hastings to harden that son’s heart, to choke the struggling nature in his bosom; when I see them pointing to the son’s name, and to his standard, while marching to oppress the mother, as to a banner that gives dignity, that gives a holy sanction and a reverence to their enterprize; when I see and hear these things done—when I hear them brought into three deliberate defences set up against the charges of the commons, my lords, I own I grow puzzled and confounded, and almost begin to doubt whether, where such a defence can be offered, it may not be tolerated.

“And yet, my lords, how can I support the claim of filial love by argument—much less the affection of a son to a mother—where love loses its awe, and vene-

ration is mixed with tenderness? What can I say upon such a subject, what can I do but repeat the ready truths, which, with the quick impulse of the mind, must spring to the lips of every man on such a theme? Filial love! the morality of instinct, the sacrament of nature and duty—or rather let me say it is miscalled a duty, for it flows from the heart without effort, and is its delight, its indulgence, its enjoyment. It is guided, not by the slow dictates of reason; it awaits not encouragement from reflection or from thought; it asks no aid of memory; it is an innate, but active, consciousness of having been the object of a thousand tender solitudes, a thousand waking watchful cares, of meek anxiety and patient sacrifices, unremarked and unrequited by the object. It is a gratitude founded upon a conviction of obligations, not remembered, but the more binding because not remembered, because conferred before the tender reason could acknowledge, or the infant memory record them—a gratitude and affection, which no circumstances should subdue, and which few can strengthen; a gratitude, in which even injury from the object, though it may blend regret, should never breed resentment; an affection which can be increased only by the decay of those to whom we owe it, and which is then most fervent when the tremulous voice of age, resistless in its feebleness, enquires for the natural protector of its cold decline.

“If these are the general sentiments of man, what must be their depravity, what must be their degeneracy, who can blot out and erase from the bosom the virtue that is deepest rooted in the human heart, and twined within the cords of life itself—aliens from

nature, apostates from humanity! And yet, if there be a crime more fell, more foul—if there be any thing worse than a wilful persecutor of his mother—it is to see a deliberate, reasoning instigator and abettor to the deed:—this it is that shocks, disgusts, and appals the mind more than the other—to view, not a wilful parricide, but a parricide by compulsion, a miserable wretch, not actuated by the stubborn evils of his own worthless heart, not driven by the fury of his own distracted brain, but lending his sacrilegious hand, without any malice of his own, to answer the abandoned purposes of the human fiends that have subdued his will! To condemn crimes like these, we need not talk of laws or of human rules—their foulness, their deformity does not depend upon local constitutions, upon human institutes or religious creeds:—they are crimes—and the persons who perpetrate them are monsters who violate the primitive condition upon which the earth was given to man—they are guilty by the general verdict of the human kind.”

CONCLUSION OF MR. SHERIDAN'S SPEECH,

IMPEACHING WARREN HASTINGS.

WE now come to the peroration, in which, skilfully and without appearance of design, it is contrived that the same sort of appeal to the purity of British justice with which the oration began, should, like the repetition of a solemn strain of music, recur at its close—leaving in the minds of the judges a composed and concentrated feeling of the great public duty they had to perform, in deciding upon the arraignment of guilt brought before them. The court of directors, it appears, had ordered an inquiry into the conduct of the Begums, with a view to the restitution of their property, if it should appear that the charges against them were unfounded; but to this proceeding Mr. Hastings objected, on the ground that the Begums themselves had not called for such interference in their favor, and that it was inconsistent with the “Majesty of Justice” to condescend to volunteer her services. The pompous and jesuitical style in which this singular doctrine is expressed, in a letter addressed by the Governor-General to Mr. Macpherson, is thus ingeniously turned to account by the orator, in winding up his masterly statement to a close:—

“And now before I come to the last magnificent paragraph, let me call the attention of those who, possibly think themselves capable of judging of the dignity and character of justice in this country;—let me call the attention of those who, arrogantly perhaps, presume that they understand what the features, what the duties of justice are here and in India;—let them learn a lesson from this great statesman, this enlarged, this liberal philosopher:—‘I hope I shall not depart from the simplicity of official language, in saying that the Majesty of Justice ought to be approached with solicitation, not descend to provoke or invite it, much less to debase itself by the suggestion of wrongs and the promise of redress, with the denunciation of punishment before trial, and even before accusation.’ This is the exhortation which Mr. Hastings makes to his counsel. This is the character which he gives of British justice.

* * * * *

“But I will ask your lordships, do you approve this representation? Do you feel that this is the true image of justice? Is this the character of British justice? Are these her features? Is this her countenance? Is this her gait or her mien? No, I think even now I hear you calling upon me to turn from this vile libel, this base caricature, this Indian pagod, formed by the hand of guilty and knavish tyranny, to dupe the heart of ignorance—to turn from this deformed idol to the true majesty of justice here. *Here*, indeed, I see a different form, enthroned by the sovereign hand of freedom—awful without severity—commanding without pride—vigilant and active without restlessness or suspicion—searching and inquisitive without meanness

or debasement—not arrogantly scorning to stoop to the voice of afflicted innocence, and in its loveliest attitude when bending to uplift the suppliant at its feet.

“It is by the majesty, by the form of that justice, that I do conjure and implore your lordships to give your minds to this great business; that I exhort you to look, not so much to words, which may be denied or quibbled away, but to the plain facts,—to weigh and consider the testimony in your own minds: we know the result must be inevitable. Let the truth appear and our cause is gained. It is this, I conjure your lordships, for your own honor, for the honor of the nation, for the honor of human nature, now entrusted to your care—it is this duty that the commons of England, speaking through us, claim at your hands.

“They exhort you to it by every thing that calls sublimely upon the heart of man, by the majesty of that justice which this bold man has libelled, by the wide fame of your own tribunal, by the sacred pledge by which you swear in the solemn hour of decision, knowing that that decision will then bring you the highest reward that ever blessed the heart of man, the consciousness of having done the greatest act of mercy for the world, that the earth has ever yet received from any hand but Heaven.—My lords, I have done.”

SPEECH OF MR. CURRAN,

IN BEHALF OF

THE REV. CHARLES MASSY,

AGAINST THE MARQUIS OF HEADFORD, FOR CRIMINAL CONVERSATION WITH PLAINTIFF'S WIFE; AT ENNIS ASSIZES, CO. CLARE, ON THE 27th JULY, 1804.

Damages laid at 40,000l.—Verdict, 10,000l.

MR. CURRAN.—Never so clearly as in the present instance have I observed that safeguard of justice, which providence hath placed in the nature of man. Such is the imperious dominion with which truth and reason wave their sceptre over the human intellect, that no solicitations however artful, no talent however commanding, can seduce it from its allegiance. In proportion to the humility of our submission to its rule do we rise into some faint emulation of that ineffable and presiding divinity, whose characteristic attribute it is—to be coerced and bound by the inexorable laws of his own nature, so as to be *all-wise* and *all-just* from necessity, rather than election. You have seen it in the learned advocate who has preceded me most peculiarly and strikingly illustrated—you have seen *even* his great talents, perhaps the first in any country, languishing under a cause too weak to *carry* him, and too heavy to be *carried* by him. He was forced to dismiss his natural candor and sincerity, and

having no merits in his case, to substitute the dignity of his own manner, the resources of his own ingenuity, over the overwhelming difficulties with which he was surrounded. Wretched client! unhappy advocate! what a combination do you form! But such is the condition of guilt—its commission mean and tremulous—its defence artificial and insincere—its prosecution candid and simple—its condemnation dignified and austere. Such has been the defendant's guilt—such his defence—such shall be my address—and such, I trust, your verdict. The learned counsel has told you, that this unfortunate woman is not to be estimated at forty thousand pounds—fatal and unquestionable is the truth of this assertion. Alas! gentlemen, she is no longer worth any thing—faded, fallen, degraded, and disgraced, she is worth less than nothing! But it is for the honor, the hope, the expectation, the tenderness, and the comforts that have been blasted by the defendant, and have fled for ever, that you are to remunerate the plaintiff, by the punishment of the defendant. It is not her present value which you are to weigh—but it is her value at that time, when she sat basking in a husband's love, with the blessing of heaven on her head, and its purity in her heart: when she sat amongst her family, and administered the morality of the parental board:—estimate that past value—compare it with its present deplorable diminution—and it may lead you to form some judgment of the severity of the injury, and the extent of the compensation.

The learned counsel has told you that you ought to be cautious, because your verdict cannot be set aside for excess. The assertion is just, but has he treated you

fairly by its application? His cause would not allow him to be fair—for, why is the rule adopted in this single action? Because, this being peculiarly an injury to the most susceptible of all human feelings—it leaves the injury of the husband to be ascertained by the sensibility of the jury, and does not presume to measure the justice of their determination by the cold and chilly exercise of his own discretion. In any other action it is easy to calculate. If a tradesman's arm is cut off, you can measure the loss which he has sustained—but the wound of feeling, and the agony of the heart, cannot be judged by any standard with which I am acquainted. And you are unfairly dealt with, when you are called on to appreciate the present suffering of the husband by the present guilt, delinquency, and degradation of his wife. As well might you, if called on to give compensation to a man for the murder of his dearest friend—find the measure of his injury, by weighing the ashes of the dead. But it is not, gentlemen of the jury, by weighing the ashes of the dead, that you would estimate the loss of the survivor.

The learned counsel has referred you to other cases, and other countries, for instances of moderate verdicts. I can refer you to some authentic instances of just ones. In the next country, fifteen thousand pounds against a subaltern officer. In Travers and M'Carthy, five thousand pounds against a servant. In Tighe against Jones, ten thousand pounds against a man not worth a shilling. What then ought to be the rule, where rank, and power, and wealth, and station, have combined to render the example of his crime more dangerous—to make his guilt more odious—to make

the injury to the plaintiff more grievous, because more conspicuous? I affect no levelling familiarity when I speak of persons in the higher ranks of society—distinctions of orders are necessary, and I always feel disposed to treat them with respect—but when it is my duty to speak of the crimes by which they are degraded, I am not so fastidious as to shrink from their contact, when to touch them is essential to their dissection. In this action, the condition, the conduct, and circumstances of the party, are justly and peculiarly the objects of your consideration. Who are the parties? The plaintiff, young, amiable, of family and education. Of the generous disinterestedness of his heart you can form an opinion even from the evidence of the defendant, that he declined an alliance, which would have added to his fortune and consideration, and which he rejected for an unportioned union with his present wife. She too, at that time young, beautiful and accomplished; and feeling her affection for her husband increase, in proportion as she remembered the ardor of his love, and the sincerity of his sacrifice. Look now to the defendant!—I blush to name him!—I blush to name a rank which he has tarnished—and a patent that he has worse than cancelled. High in the army—high in the state—the hereditary counsellor of the king—of wealth incalculable—and to this last I advert with an indignant and contemptuous satisfaction, because, as the only instrument of his guilt and shame, it will be the means of his punishment, and the source of compensation for his guilt.

But let me call your attention distinctly to the questions you have to consider. The first is the fact

of guilt. Is this noble lord guilty? His counsel knew too well how they would have mortified his vanity, had they given the smallest reason to doubt the splendor of his achievement. Against any such humiliating suspicion he had taken the most studious precaution by the publicity of the exploit. And here, in this court, and before you and in the face of the country, has he the unparalleled effrontery of disdaining the resort even to a *confession of innocence*—His guilt established, your next question is, the damages you should give. You have been told, that the amount of the damages should depend on circumstances. You will consider these circumstances, whether of aggravation or mitigation. His learned counsel contend, that the plaintiff has been the author of his own suffering, and ought to receive no compensation for the ill consequences of his own conduct. In what part of the evidence do you find any foundation for that assertion? He indulged her, it seems, in dress—generous and attached, he probably indulged her in that point beyond his means; and the defendant now imprudently calls on you to find an excuse for the adulterer in the fondness and liberality of her husband. But you have been told that the husband connived. Odious and imprudent aggravation of injury—to add calumny to insult, and outrage to dishonor. From whom, but a man hackneyed in the paths of shame and vice—from whom, but from a man having no compunctions in his own breast to restrain him, could you expect such brutal disregard for the feelings of others—from whom, but the cold-blooded veteran seducer—from what, but from the exhausted mind—the habitual community

with shame—from what, but the habitual contempt of virtue and of man, could you have expected the arrogance, the barbarity, and folly of so foul—because so false an imputation? He should have reflected—and have blushed, before he suffered so vile a topic of defence to have passed his lips. But, ere you condemn, let him have the benefit of the excuse, if the excuse be true. You must have observed how his counsel fluttered and vibrated, between what they called connivance and injudicious confidence; and how, in affecting to distinguish they have confounded them both together. If the plaintiff has connived, I freely say to you, do not reward the wretch who has prostituted his wife, and surrendered his own honor—do not compensate the pander of his own shame, and the willing instrument of his own infamy. But as there is no sum so low to which such a defence, if true, ought not to reduce your verdict, so neither is any so high to which such a charge ought not to inflame it, if such a charge be false. Where is the single fact in this case on which the remotest suspicion of connivance can be hung? Odiously has the defendant endeavored to make the softest and most amiable feelings of the heart the pretext of his slanderous imputations. An ancient and respectable prelate, the husband of his wife's sister, chained down to the bed of sickness, perhaps to the bed of death. In that distressing situation my client suffered that wife to be the bearer of consolation to the bosom of her sister—he had not the heart to refuse her—and the softness of his nature is now charged on him as a crime. He is now insolently told, that he connived at his dishonor, and that he ought to have

foreseen, that the mansion of sickness and of sorrow would have been made the scene of assignation and of guilt. On this charge of connivance I will not farther weary you or exhaust myself—I will add nothing more than that it is as false as it is impudent—that in the evidence it has not a color of support; and that by your verdict you should mark it with reprobation. The other subject, namely, that he was indiscreet in his confidence, does I think, call for some discussion—for I trust you see that I effect not any address to your passions, by which you may be led away from the subject—I presume merely to separate the parts of this affecting case, and to lay them item by item before you, with the coldness of detail, and not with any coloring or display of fiction or of fancy. Honorable to himself was his unsuspecting confidence, but fatal must we admit it to have been, when we look to the abuse committed upon it: but where was the guilt of this indiscretion? He did admit this noble lord to pass his threshold as his guest. Now the charge which this noble lord builds on this indiscretion is—“thou fool—thou hadst confidence in my honor—and that was a guilty indiscretion. Thou simpleton, thou thoughtest that an admitted and a cherished guest, would have respected the laws of honor and hospitality, and thy indiscretion was guilt. Thou thoughtest that he would have shrunk from the meanness and barbarity of requiting kindness with treachery—and thy indiscretion was guilt.”

Gentlemen, what horrid alternative in the treatment of wives would such reasoning recommend? Are they to be immured by worse than eastern barbarity? Are

their principles to be depraved, their passions sublimated, every finer motive of action extinguished by the inevitable consequences of thus treating them like slaves? Or is a liberal and generous confidence in them to be the passport of the adulterer, and the justification of his crimes?

Honorably, but fatally for his own repose, he was neither jealous, suspicious, nor cruel. He treated the defendant with the confidence of a friend—and his wife with the tenderness of a husband. He did leave to the noble marquis the physical possibility of committing against him the greatest crime which can be perpetrated against a being of an amiable heart and refined education. In the middle of the day, at the moment of divine worship, when the miserable husband was on his knees, directing the prayers and thanksgiving of his congregation to their God—that moment did the remorseless adulterer choose to carry off the deluded victim from her husband—from her child—from her character—from her happiness—as if, not content to leave his crime confined to its miserable aggravations, unless he gave it a cast and colour of factitious sacrilege and impiety. Oh! how happy had it been when he arrived at the bank of the river with the ill-fated fugitive, ere yet he had committed her to that boat, of which, like the fabled barque of Styx, the exile was eternal, how happy at that moment, so teeming with misery and with shame, if you, my lord, had met him, and could have accosted him in the character of that good genius which had abandoned him. How impressively might you have pleaded the cause of the father, of the child, of the mother, and

even of the worthless defendant himself. You would have said, "is this the requital that you are about to make for respect and kindness, and confidence in your honor? Can you deliberately expose this young man, in the bloom of life, with all his hopes before him? Can you expose him, a wretched outcast from society, to the scorn of a merciless world? Can you set him adrift upon the tempestuous ocean of his own passions, at this early season when they are most headstrong; and can you cut him out from the moorings of those domestic obligations by whose cable he might ride at safety from their turbulence? Think of, if you can conceive it, what a powerful influence arises from the sense of home, from the sacred religion of the hearth in quelling the passions, in reclaiming the wanderings, in correcting the discords of the human heart; do not cruelly take from him the protection of these attachments. But if you have no pity for the father, have mercy at least upon his innocent and helpless child; do not condemn him to an education scandalous or neglected—do not strike him into that most dreadful of all human conditions, the orphanage that springs not from the grave, that falls not from the hand of Providence, or the stroke of death; but comes before its time, anticipated and inflicted by the remorseless cruelty of parental guilt. For the poor victim herself—not yet immolated—while yet balancing upon the pivot of her destiny, your heart could not be cold, nor your tongue be wordless. You would have said to him, pause my lord, while there is yet a moment for reflection. What are your motives, what your views, what your prospects from what you are about to do? You are a

married man, the husband of the most amiable and respectable of women; you cannot look to the chance of marrying this wretched fugitive; between you and such an event there are two sepulchres to pass. What are your inducements? Is it love, think you? No,—do not give that name to any attraction you can find in the faded refuse of a violated bed. Love is a noble and generous passion; it can be founded only on a pure and ardent friendship, on an exalted respect, on an implicit confidence in its object. Search your heart, examine your judgment, do you find the semblance of any one of these sentiments to bind you to her? what could degrade a mind to which nature or education had given port, or stature, or character, into a friendship for her? Could you repose upon her faith? Look in her face, my lord; she is at this moment giving you the violation of the most sacred of human obligations as the pledge of her fidelity. She is giving you the most irrefragable proof that, as she is deserting her husband for you, so she would without a scruple abandon you for another. Do you anticipate any pleasure you might feel in the possible event of your becoming the parents of a common child? She is at this moment proving to you that she is as dead to the sense of parental as of conjugal obligation; and that she would abandon your offspring to-morrow, with the same facility with which she now deserts her own. Look then at her conduct, as it is, as the world must behold it, blackened by every aggravation that can make it either odious or contemptible, and unrelieved by a single circumstance of mitigation, that could palliate its guilt, or retrieve it from abhorrence.

Mean, however, and degraded as this women must be, she will still (if you take her with you,) have strong and heavy claims upon you. The force of such claims does certainly depend upon circumstances; before, therefore, you expose her fate to the dreadful risque of your caprice or ingratitude, in mercy to her, weigh well the confidence she can place in your future justice and honor: at that future time, much nearer than you think, by what topics can her cause be pleaded to a sated appetite, to a heart that repels her, to a just judgment in which she never could have been valued or respected? Here is not the case of an unmarried woman, with whom a pure and generous friendship may insensibly have ripened into a more serious attachment, until at last her heart became too deeply pledged to be re-assumed: if so circumstanced, without any husband to betray, or child to desert, or motive to restrain, except what related solely to herself, her anxiety for your happiness made her overlook every other consideration, and commit her history to your honor; in such a case, (the strongest and the highest that man's imagination can suppose;) in which you at least could see nothing but the most noble and disinterested sacrifice; in which you could find nothing but what claimed from you the most kind and exalted sentiment of tenderness, and devotion, and respect, and in which the most fastidious rigour would find so much more subject for sympathy than blame:—let me ask you, could you, even in that case, answer for your own justice and gratitude? I do not allude to the long and pitiful catalogue of paltry adventures, in which it seems your time has been employed. The coarse and

vulgar succession of casual connexions, joyless, loveless, and unendeared: but do you not find upon your memory some trace of an engagement of the character I have sketched?—Has not your sense of what you would owe in such a case, and to such a woman, been at least once put to the test of experiment? Has it not once at least happened that such a woman, with all the resolution of strong faith, flung her youth, her hope, her beauty, her talent upon your bosom, weighed you against the world, which she found but a feather in the scale, and took you as an equivalent? How did you then acquit yourself? Did you prove yourself worthy of the sacred trust reposed in you? Did your spirit so associate with hers, as to leave her no room to regret the splendid and disinterested sacrifice she had made? Did her soul find a pillow in the tenderness of yours, and support in its firmness? Did you preserve her high in your own consciousness, proud in your admiration and friendship, and happy in your affection? You might have so acted, and the man that was worthy of her would have perished rather than not so act, as to make her delighted with having confided so sacred a trust to his honor. Did you so act? Did she feel that, however precious to your heart, she was still more exalted and honored in your reverence and respect? Or did she find you coarse and paltry, fluttering and unpurposed, unfeeling, and ungrateful? You found her a fair and blushing flower, its beauty and its fragrance bathed in the dews of heaven. Did you so tenderly transplant it, as to preserve that beauty and fragrance unimpaired? Or did you so rudely cut it, as to interrupt its nutriment, to waste its sweetness,

to blast its beauty, to bow down its faded and sickly head? And did you at last fling it like 'a loathsome weed away?' If then to such a woman, so clothed with every title that could ennoble, and exalt, and endear her to the heart of man, you would be cruelly and capriciously deficient, how can a wretched fugitive like this, in every point her contrast, hope to find you just? Send her then away. Send her back to her home, to her child, to her husband, to herself." Alas, there was none to hold such language to this noble defendant; he did not hold it to himself. But he paraded his despicable prize in his own carriage, with his own retinue, his own servants—this veteran Paris hawked his enamoured Helen from this western quarter of the island to a sea-port in the eastern, crowned with the acclamations of a senseless and grinning rabble, glorying and delighted, no doubt, in the leering and scoffing admiration of grooms, and hostlers, and waiters, as he passed.

In this odious contempt of every personal feeling of public opinion, of common humanity, did he parade this woman to the sea-port, whence he transported his precious cargo to a country, where her example may be less mischievous than in her own; where I agree with my learned colleague in heartily wishing he may remain with her for ever. We are too poor, too simple, too unadvanced a country, for the example of such achievements. When the relaxation of morals is the natural growth and consequence of the great progress of arts and wealth, it is accompanied by a refinement, that makes it less gross and shocking: but for such palliations we are at least a century too young. I advise

you, therefore, most earnestly to rebuke this budding mischief, by letting the wholesome vigor and chastisement of a liberal verdict speak what you think of its enormity. In every point of view in which I can look at the subject, I see you are called upon to give a verdict of bold, and just, and indignant, and exemplary compensation. The injury of the plaintiff demands it from your justice; the delinquency of the defendant provokes it by its enormity. The rank on which he has relied for impunity calls upon you to tell him, that crime does not ascend to the rank of the perpetrator, but the perpetrator sinks from his rank, and descends to the level of his delinquency. The style and mode of his defence is a gross aggravation of his conduct, and a gross insult upon you. Look upon the different subjects of his defence as you ought, and let him profit by them as he deserves; vainly presumptuous upon his rank, he wishes to overawe you by the despicable consideration. He next resorts to a cruel aspersion upon the character of the unhappy plaintiff, whom he had already wounded beyond the possibility of reparation; he has ventured to charge him with connivance: as to that, I will only say, gentlemen of the jury, do not give this vain boaster a pretext for saying, that if her husband connived in the offence, the jury also connived in the reparation. But he has pressed another curious topic upon you. After the plaintiff had cause to suspect his designs, and the likelihood of their being fatally successful, he did not then act precisely as he ought. Gracious God, what an argument for him to dare to advance! It is saying this to him: "I abused your confidence, your hospitality; I laid a base

plan for the seduction of the wife of your bosom; I succeeded at last, so as to throw in upon you that most dreadful of all suspicions to a man fondly attached, proud of his wife's honor, and tremblingly alive to his own; that you were possibly a dupe to the confidence in the wife, as much as in the guest: in this so pitiable distress, which I myself had studiously and deliberately contrived for you, between hope and fear, and doubt and love, and jealousy and shame; one moment shrinking from the cruelty of your suspicion; the next, fired with indignation at the facility and credulity of your acquittal; in this labyrinth of doubt, in this phrensy of suffering, you were not collected and composed; you did not act as you might have done, if I had not worked you to madness; and upon that very madness which I have inflicted upon you, upon the very completion of my guilt, and of your misery, I will build my defence. You did not act critically right, and therefore are unworthy of compensation." Gentlemen, can you be dead to the remorseless atrocity of such a defence! And shall not your honest verdict mark it as it deserves? But let me go a little further; let me ask you, for I confess I have no distinct idea of what should be the conduct of a husband so placed, and who is to act critically right? Shall he lock her up, or turn her out, or enlarge or abridge her liberty of acting as she pleases? Oh, dreadful Areopagus of the tea-table! how formidable thy inquests, how tremendous thy condemnations! In the first case he is brutal and barbarous, an odious eastern despot. In the next; what: turn an innocent woman out of his house, without evidence or proof, but merely because he is vile and mean enough

to suspect the wife of his bosom, and the mother of his child! Between these extremes, what intermediate degree is he to adopt? I put this question to you at this moment,—uninfluenced by any passion as you now are, but cool and collected, and uninterested as you must be, do you see clearly this proper and exact line, which the plaintiff should have pursued? I must question if you do? But if you did or could, must you not say, that he was the last man from whom you should expect the coolness to discover, or the steadiness to pursue it? And yet this is the outrageous and insolent defence that is put forward to you. My miserable client, when his brain was on fire, and every fiend of hell was let loose upon his heart, he should then, it seems, have placed himself before his mirror, he should have taught the stream of agony to flow decorously down his forehead; he should have composed his features to harmony; he should have writhed with grace, and groaned in melody. But look farther to this noble defendant, and his honorable defence; the wretched woman is to be successively the victim of seduction, and of slander. She it seems received marked attentions—here, I confess, I felt myself not a little at a loss. The witnesses could not describe what these marked attentions were, or are. They consisted not, if you believe the witnesses that swore to them, in any personal approach, or contact whatsoever; nor in any unwarrantable topics of discourse. Of what materials then were they composed? Why, it seems, a gentleman had the insolence at table to propose to her a glass of wine, and she, oh most abandoned lady! instead of flying like an angry parrot at his head, and

besmirching and bescratching him for his insolence, tamely and basely replies, "port, sir, if you please." But, gentlemen, why do I advert to this folly, this nonsense? Not surely to vindicate from censure the most innocent, and the most delightful intercourse of social kindness, or harmless and cheerful courtesy—"where virtue is, these are most virtuous." But I am soliciting your attention, and your feeling, to the mean and odious aggravation; to the unblushing and remorseless barbarity, of falsely aspersing the wretched woman he had undone. One good he has done; he has disclosed to you the point in which he can feel; for how imperious must that avarice be, which could resort to so vile an expedient of frugality? Yes, I will say, that with the common feelings of a man, he would have rather suffered his thirty thousand a year to go as a compensation to the plaintiff, than saved a shilling of it by so vile an expedient of economy. He would rather have starved with her in a gaol, he would rather have sunk with her into the ocean, than have so villified her, than have so degraded himself. But it seems, gentlemen, and indeed you have been told, that long as the course of his gallantries has been, and he has grown grey in the service, it is the first time he has been called upon for damages. To how many might it have been fortunate, if he had not that impunity to boast? Your verdict will, I trust, put an end to that encouragement to guilt, that is built upon impunity: the devil it seems has saved the noble marquis harmless in the past; but your verdict will tell him the term of that indemnity is expired, that his old friend and banker has no more effects in his hands, and that if he draws any more

upon him, he must pay his own bills himself. You will do much good by doing so; you may not enlighten his conscience, nor touch his heart, but his frugality will understand the hint. It will adopt the prudence of age, and deter him from pursuits, in which, though he may be insensible of shame, he will not be regardless of expense. You will do more, you will not only punish him in his tender point, but you will weaken him in his strong one, his money. We have heard much of this noble lord's wealth, and much of his exploits, but not much of his accomplishments or his wit. I know not that his verses have soared even to the poet's corner. I have heard it said, than an ass laden with gold could find his way through the gate of the strongest city. But, gentlemen, lighten the load upon his back, and you will completely curtail the mischievous faculty of a grave animal whose momentum lies, not in his agility, but his weight; not in the quantity of motion, but the quantity of his matter. There is another ground on which you are called upon to give most liberal damages, and that has been laid by the unfeeling vanity of the defendant. This business has been marked by the most elaborate publicity. It is very clear that he has been allured by the glory of the chase, and not the value of the game. The poor object of his pursuit could be of no value to him, or he could not have so wantonly, and cruelly, and unnecessarily abused her. He might easily have kept this unhappy intercourse an unsuspected secret. Even if he wished for her elopement, he might easily have so contrived it, that the place of her retreat would be profoundly undiscoverable; yet, though even the expense, a point so tender

to his delicate sensibility, of concealing, could not be a one-fortieth of the cost of publishing her, his vanity decided him in favor of glory and publicity. By that election he has in fact put forward the Irish nation, and its character, so often and so variously calumniated, upon its trial before the tribunal of the empire; and your verdict will this day decide, whether an Irish jury can feel with justice, and spirit, upon a subject that involves conjugal affection and comfort, domestic honor and repose—the certainty of issue—the weight of public opinion—the gilded and presumptuous criminality of overweening rank and station. I doubt not, but he is at this moment reclined on a silken sofa, anticipating that submissive and modest verdict, by which you will lean gently on his errors; and expecting from your patriotism, no doubt, that you will think again, and again, before you condemn any great portion of the immense revenue of a great absentee, to be detained in the nation that produced it, instead of being transmitted, as it ought, to be expended in the splendor of another country. He is now probably waiting for the arrival of the report of this day, which I understand, a famous note-taker has been sent hither to collect. (Let not the gentleman be disturbed.) Gentlemen, let me assure you, it is more, much more the trial of you, than of the noble marquis, of which this imported recorder is at this moment collecting the materials. His noble employer is now expecting a report to the following effect: “Such a day came on to be tried at Ennis, by a special jury, the cause of Charles Massy against the most noble, the Marquis of Headford. It appeared, that the plaintiff’s wife was young, beautiful, and capti-

vating. The plaintiff himself, a person fond of this beautiful creature to distraction, and both doating on their child; but the noble marquis approached her, the plume of glory nodded on his head. Not the goddess Minerva, but the goddess Venus had lighted up his casque, 'the fire that never tires—such as many a lady gay had been dazzled with before.' At the first advance she trembled, at the second she struck to the redoubted son of Mars, and pupil of Venus. The jury saw it was not his fault; (it was an Irish jury;) they felt compassion for the tenderness of the mother's heart, and for the warmth of the lover's passion. The jury saw on the one side a young, entertaining gallant, on the other, a beauteous creature, of charms irresistible. They recollected, that Jupiter had been always successful in his amours, although Vulcan had not always escaped some awkward accidents. The jury was composed of fathers, brothers, husbands—but they had not the vulgar jealousy, that views little things of that sort with rigor, and wishing to assimilate their country in every respect to England now that they are united to it, they, like English gentlemen, returned to their box with a verdict of six pence damages and six pence costs." Let this be sent to England. I promise you, your odious secret will not be kept better than that of the wretched Mrs. Massy. There is not a bawdy chronicle in London, in which the epitaph which you would have written on yourselves will not be published, and our enemies will delight in the spectacle of our precocious depravity, in seeing that we can be rotten before we are ripe. I do not suppose it; I do not, cannot, will not believe it; I will not harrow up myself with the anticipated apprehension.

There is another consideration, gentlemen, which I think most imperiously demands even a vindictive award of exemplary damages—and that is the breach of hospitality. To us peculiarly does it belong to avenge the violation of its altar. The hospitality of other countries is a matter of necessity or convention, in savage nations of the first, in polished, of the latter; *but the hospitality of an Irishman* is not the running account of posted and ledgered courtesies, as in other countries;—it springs like all his qualities, his faults, his virtues—directly from his heart. The heart of an Irishman is by nature bold, and he confides; it is tender, and he loves; it is generous, and he gives; it is social, and he is hospitable. This sacrilegious intruder has profaned the religion of that sacred altar so elevated in our worship, so precious to our devotion; and it is our privilege to avenge the crime. You must either pull down the altar, and abolish the worship, or you must preserve its sanctity undebased. There is no alternative between the universal exclusion of all mankind from your threshold, and the most rigorous punishment of him who is admitted and betrays. This defendant has been so trusted, has so betrayed, and you ought to make him a most signal example.

Gentlemen, I am the more disposed to feel the strongest indignation and abhorrence at this odious conduct of the defendant, when I consider the deplorable condition to which he has reduced the plaintiff, and perhaps the still more deplorable one that he has in prospect before him. What a progress has he to travel through, before he can attain the peace and tranquillity which he has lost? How like the wounds

of the body are those of the mind! how burning the fever! how painful the suppuration! how slow, how hesitating, how relapsing the process to convalescence? Through what a variety of suffering, what new scenes and changes, must my unhappy client pass, ere he can re-attain, should he ever re-attain, that health of soul of which he has been despoiled by the cold and deliberate machinations of this practised and gilded seducer? If, instead of drawing upon his incalculable wealth for a scanty retribution, you were to stop the progress of his despicable achievements by reducing him to actual poverty, you could not even so punish him beyond the scope of his offence, nor reprise the plaintiff beyond the measure of his suffering. Let me remind you, that in this action, the law not only empowers you, but that its policy commands you, to consider the public example, as well as the individual injury, when you adjust the amount of your verdict. I confess I am most anxious that you should acquit yourselves worthily upon this important occasion. I am addressing you as fathers, husbands, brothers. I am anxious that a feeling of those high relations should enter into, and give dignity to, your verdict. But I confess, I feel a tenfold solicitude when I remember that I am addressing you as my countrymen, as Irishmen, whose characters as jurors, as gentlemen, must find either honor or degradation in the result of your decision. Small as must be the distributive share of that national estimation, that can belong to so unimportant an individual as myself, yet I do own I am tremblingly solicitous for his fate. Perhaps it appears of more value to me, because it is embarked on the same bottom with

yours; perhaps the community of peril, of common safety, or common wreck, gives a consequence to my share of the risque, which I could not be vain enough to give it, if it were not raised to it by that mutuality. But why stoop to think at all of myself, when I know that you, gentlemen of the jury, when I know that our country itself are my clients on this day, and must abide the alternative of honor, or of infamy, as you shall decide. But I will not despond, I will not dare to despond. I have every trust, and hope, and confidence in you. And to that hope I will add my most fervent prayer to the God of all truth and justice, that you may so decide, as to preserve to yourselves while you live, the most delightful of all recollections, that of acting justly, and to transmit to your children the most precious of all inheritances—the memory of your virtue.

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FROM

### MR. CURRAN'S SPEECH,

ON ALDERMAN HOWISON'S ELECTION AS LORD MAYOR OF DUBLIN, SUPPOSED TO BE DIRECTED AGAINST LORD CLARE ON THE BENCH.

It may be given to a Hale, or a Hardwicke, to discover and retract a mistake; the errors of such men are only specks that arise for a moment upon the surface of a splendid luminary; consumed by its heat, or irradiated by its light, they soon purge and disappear; but the perverseness of a mean and narrow intellect, is like the excrescences that grow upon a body naturally cold and dark: no fire to waste them, and no ray to enlighten, they assimilate and coalesce with



those qualities so congenial to their nature, and acquire an incorrigible permanency in the union with kindred frost and kindred opacity. Nor indeed, my lords, except where the interest of millions can be effected by the folly or vice of an individual, need it be much regretted, that, to things not worthy of being made better, it hath not pleased Providence to afford the privilege of improvement.

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MR. CURRAN,

IN REPLY TO MR. FITZGIBBON, ATTORNEY GENERAL, WHO HAD ANSWERED WITH MUCH PERSONALITY, MR. CURRAN'S SPEECH ON ATTACHMENTS, IN THE IRISH PARLIAMENT, FEB. 24, 1785.

THE attorney general, (Fitzgibbon,) in a speech of much personality, opposed Mr. Curran's motion.

Mr. Curran in reply, thanked the right honorable gentleman for restoring him to his good humor, and for having, with great liberality and parliamentary decency, answered his arguments with personality! Some expressions could not heat him, when coming from persons of a certain distinction. He would not interrupt the right honorable gentleman in the fifth repetition of his speech. He would prevent his arguments, by telling him, he had not in one instance alluded to Mr. Reilly. The right honorable gentleman said, he had declared the judges guilty; but he had said no such thing. He said, if any judge was to act in the manner he mentioned, it would be an aggravation of his guilt. The right honorable gentleman had said, that the house of commons had no right to investigate the conduct of judges; if so, he would ask the learned

serjeant, why he sat in that chair? he would ask why the resolution had been just read from the journals?—The gentleman had called him a babbler; he could not think that was meant as a disgrace; because in another parliament, before he had the honor of a seat in that house, but when he was in the gallery, he had heard a young lawyer named Babblers. He did not recollect that there were sponsors at the baptismal font, nor was there any occasion, as the infant had promised and vowed so many things in his own name. Indeed he found it difficult to reply, for he was not accustomed to pronounce panegyric upon himself; he did not well know how to do it; but since he could not tell them what he was, he could tell them what he was not. He was not a man whose respect in person and character depended upon the importance of his office; he was not a young man who thrust himself into the foreground of a picture which ought to be occupied by a better figure; he was not a man who replied with invective when sinking under the weight of argument; he was not a man who denied the necessity of a parliamentary reform at the time he proved the expediency of it, by reviling his own constituents, the parish clerk, the sexton, and grave-digger; and if there was any man who could apply what he was not to himself, he left him to think of it in the committee, and to contemplate upon it when he went home.

## CURRAN'S OPINION OF GRATTAN,

FROM HIS SPEECH ON COMMERCIAL INTERCOURSE, AUG. 15, 1785.

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AND there [Mr. Grattan] was exerting an eloquence more than human, inspiring, forming, directing, animating, to the great purposes of your salvation, &c.

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### THE PENSION LIST.

This polyglot of wealth, this museum of curiosities, the pension list, embraces every link in the human chain, every description of men, women and children, from the exalted excellence of a Hawke or a Rodney, to the debased situation of the lady who humbleth herself that she may be exalted. But the lessons it inculcates form its greatest perfection:—it teaches that sloth and vice may eat that bread which virtue and honesty may starve for after they have earned it. It teaches the idle and dissolute to look up for that support which they are too proud to stoop and earn. It directs the minds of men to an entire reliance on the ruling power of the state, who feeds the ravens of the royal aviary, that cry continually for food. It teaches them to imitate those saints on the pension list that are like lilies of the field—they toil not, neither do they spin, but they are arrayed like Solomon in his glory. In fine, it teaches a lesson which indeed they might have learned from Epictetus—that it is sometimes good not to be over virtuous; it shows, that in

proportion as our distresses increase, the munificence of the crown increases also—in proportion as our clothes are rent, the royal mantle is extended over us.

But notwithstanding the pension list, like charity, covers a multitude of sins, give me leave to consider it as coming home to the members of this house—give me leave to say, that the crown in extending its charity, its liberality, its profusion, is laying a foundation for the independence of parliament; for hereafter, instead of orators or patriots accounting for their conduct to such mean and unworthy persons as free-holders, they will learn to despise them, and look to the first man in the state; and they will by so doing have this security for their independence, that while any man in the kingdom has a shilling, they will not want one. Suppose at any future period of time the boroughs of Ireland should decline from their present flourishing and prosperous state—suppose they should fall into the hands of men who would wish to drive a profitable commerce, by having members of parliament to hire or let; in such a case a secretary would find great difficulty if the proprietors of members should enter into a combination to form a monopoly; to prevent which in time, the wisest way is to purchase up the raw material, young members of parliament, just rough from the grass; and when they are a little bitted, and he has got a pretty stud, perhaps of seventy, he may laugh at the slave merchant: some of them he may teach to sound through the nose, like a barrel organ; some, in the course of a few months might be taught to cry hear! hear! some, chair! chair! upon occasion; though these latter might create a little con-



fusion, if they were to forget whether they called inside or outside of those doors. Again, he might have some so trained that he need only pull a string, and up gets a repeating member; and if they were so dull that they could neither speak nor make orations, (for they are different things) he might have them taught to dance *pedibus ire in sententia*.—This improvement might be extended; he might have them dressed in coats and shirts all of one colour, and of a Sunday he might march them to church two by two, to the great edification of the people and the honor of the christian religion; afterwards, like the ancient Spartans, or the fraternity at Kilmainham, they might dine all together in a large hall. Good heaven! what a sight to see them feeding in public upon public viands, and talking of public subjects for the benefit of the public. It is a pity they are not immortal; but I hope they will flourish as a corporation, and that pensioners will beget pensioners to the end of the chapter.

This, he said, might be deemed an unusual language in that house, but he assured the right honorable secretary, he did not speak with any view of disturbing his personal feelings; he did not admire, nor would he imitate the cruelty of the Sicilian tyrant who amused himself with putting insects to the torture; he was therefore stating facts.



## THE VOLUNTEERS OF IRELAND,

FROM MR. CURRAN'S SPEECH IN DEFENCE OF A. H. ROWAN.

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THAT illustrious, and adored, and *abused* body of men stood forward and assumed the title, which, I trust, the ingratitude of their country will never blot from its history, "THE VOLUNTEERS OF IRELAND."

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CURRAN.

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### UNIVERSAL EMANCIPATION.

I PUT it to your oaths; do you think that a blessing of that kind, that a victory obtained by justice over bigotry and oppression, should have a stigma cast upon it by an ignominious sentence upon men bold and honest enough to propose that measure? to propose the redeeming of religion from the abuses of the church, the reclaiming of three millions of men from bondage, and giving liberty to all who had a right to demand it; giving, I say, in the so much censured words of this paper, giving "UNIVERSAL EMANCIPATION!" I speak in the spirit of the British law, which makes liberty commensurate with, and inseparable from, British soil; which proclaims even to the stranger and the sojourner, the moment he sets his foot upon British earth, that the ground on which he treads is holy, and consecrated by the genius of UNIVERSAL EMANCIPATION. No

matter in what language his doom may have been pronounced;—no matter what complexion, incompatible with freedom, an Indian or an African sun may have burnt upon his brow;—no matter in what disastrous battle his liberty may have been cloven down;—no matter with what solemnities he may have been devoted upon the altar of slavery; the moment he touches the sacred soil of Britain, the altar and the god sink together in the dust; his soul walks abroad in her own majesty; his body swells beyond the measure of his chains, which burst from around him, and he stands redeemed, regenerated, and disenthralled, by the irresistible genius of UNIVERSAL EMANCIPATION.

*[Here Mr. Curran was interrupted by a sudden burst of applause from the court and hall, which was repeated for a considerable length of time: silence being at length restored, he proceeded.]*

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## CURRAN.

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### GENIUS OF SCOTLAND,

FROM THE DEFENCE OF ARCHIBALD HAMILTON ROWAN.

THERE is a sort of aspiring and adventurous credulity, which disdains assenting to obvious truths, and delights in catching at the improbability of circumstances, as its best ground of faith. To what other cause, gentlemen, can you ascribe that in the wise, the reflecting, and the philosophic nation of Great Britain, a printer has been gravely found guilty of a libel, for publishing those resolutions to which the present minister of that kingdom had actually subscribed his name?

To what other cause can you ascribe, what in my mind is still more astonishing, in such a country as Scotland—a nation cast in the happy medium between the spiritless acquiescence of submissive poverty, and the sturdy credulity of pampered wealth; cool and ardent; adventurous and persevering; winging her eagle flight against the blaze of every science, with an eye that never winks, and a wing that never tires; crowned as she is with the spoils of every art, and decked with the wreath of every muse, from the deep and scrutinizing researches of her Hume, to the sweet and simple, but not less sublime and pathetic morality of her Burns—how, from the bosom of a country like that, genius, and character, and talents, should be banished to a distant barbarous soil;\* condemned to pine under the horrid communion of vulgar vice and base-born profligacy, for twice the period that ordinary calculation gives to the continuance of human life?

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CURRAN.

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CONCLUSION OF THE SPEECH,

IN DEFENCE OF ARCHIBALD HAMILTON ROWAN, ESQ.

WHEN your sentence shall have sent him forth to that stage, which guilt alone can render infamous, let me tell you, he will not be like a little statue upon a mighty pedestal, diminishing by elevation; but he will stand a striking and imposing object upon a monument, which, if it does not (and it cannot) record the atrocity

*Alluding to the sentence of transportation against Miner Palmer, &c., in Scotland.

of his crime, must record the atrocity of his conviction. Upon this subject, therefore, credit me when I say, that I am still more anxious for you, than I can possibly be for him. I cannot but feel the peculiarity of your situation. Not the jury of his own choice, which the law of England allows, but which ours refuses; collected in that box by a person certainly no friend to Mr. Rowan, certainly not very deeply interested in giving him a very impartial jury. Feeling this, as I am persuaded you do, you cannot be surprised, however you may be distressed, at the mournful presage, with which an anxious public is led to fear the worst from your possible determination. But I will not, for the justice and honor of our common country, suffer my mind to be borne away by such melancholy anticipation. I will not relinquish the confidence that this day will be the period of his sufferings; and, however mercilessly he has been hitherto pursued, that your verdict will send him home to the arms of his family, and the wishes of his country. But if, which heaven forbid, it hath still been unfortunately determined, that because he has not bent to power and authority, because he would not bow down before the golden calf and worship it, he is to be bound and cast into the furnace; I do trust in God, that there is a redeeming spirit in the constitution, which will be seen to walk with the sufferer through the flames, and to preserve him unhurt by the conflagration.

[Upon the conclusion of this speech, Mr. Curran was again, for many minutes, loudly applauded by the auditors; and upon leaving the court, was drawn home by the populace, who took the horses from his carriage.]

CURRAN.

O'BRIEN,

FROM THE SPEECH IN DEFENCE OF PATRICK FINNERTY.

How, then, does Mr. O'Brien's tale hang together? Look to its commencement. He walks along Thomas street, in the open day, (a street not the least populous in the city,) and is accosted by a man, who, without any preface, tells him, he'll be murdered before he goes *half* the street, unless he becomes a united Irishman! Do you think this a probable story? Suppose any of you, gentlemen, be a united Irishman, or a free mason, or a friendly brother, and that you met me walking *innocently* along, just like Mr. O'Brien, and meaning *no harm*, would you say, "Stop Mr. Curran, don't go further, you'll be murdered before you go half the street, if you do not become a united Irishman, a free mason, or a friendly brother." Did you ever hear so *coaxing* an invitation to *felony* as this? "Sweet Mr. James O'Brien! come in and save your precious life, come in and take an oath, or you'll be murdered before you go half the street!—Do, sweetest, dearest Mr. James O'Brien, come in and do not risk your valuable existence." What a loss had he been to his king, whom he loves so marvellously! Well, what does poor Mr. O'Brien do? Poor, dear man, he stands petrified with the magnitude of his danger—all his mem-

bers refuse their office—he can neither run from the danger, nor call out for assistance; his tongue cleaves to his mouth! and his feet incorporate with the paving stones—it is in vain that his expressive eye silently implores protection of the passenger; he yields at length, as greater men have done, and resignedly submits to his fate: he then enters the house, and being led into a room, a parcel of men *make faces* at him: but mark the metamorphosis—well may it be said that “miracles will never cease;”—he who feared to resist in open air, and in the face of the public, becomes a *bravo*, when pent up in a room, and environed by *sixteen* men; and one is obliged to bar the door, while another swears him; which, after some resistance, is accordingly done, and poor Mr. O’Brien becomes a united Irishman, for no earthly purpose whatever, but merely to save his sweet life! But this is not all—the pill so bitter to the percipiency of his loyal palate, must be washed down; and lest he should throw it off his stomach, he is filled up to the neck with beef and whiskey.—What further did they do?

Mr. O’Brien, thus persecuted, abused and terrified, would have gone and lodged his sorrows in the sympathetic bosom of the major; but to prevent him even this little solace, they made him drunk. The next evening they used him in the like barbarous manner, so that he was not only sworn against his will, but, poor man, he was made drunk against his inclination. Thus was he besieged with *united* beef steaks and whiskey, and against such potent assailants not even Mr. O’Brien could prevail.

CURRAN.

O'BRIEN,—FROM SAME.

I HAVE heard of assassination by sword, by pistol, and by dagger, but here is a wretch who would dip the evangelists of God in blood.

CURRAN.

CONCLUSION OF THE SPEECH, IN DEFENCE OF MR. FINNEY.

THE present cause takes in the entire character of your country, which may suffer in the eyes of all Europe by your verdict. This is the first prosecution of the kind brought forward to view.—It is the great experiment of the informers of Ireland, to ascertain how far they can carry on a traffic in human blood! This cannibal informer, this demon, O'Brien, greedy after human gore, has fifteen other victims in reserve, if, from your verdict, he receives the unhappy man at the bar! Fifteen more of your fellow citizens are to be tried on his evidence! Be you then their saviours; let your verdict snatch them from his ravening maw, and interpose between yourselves and endless remorse!

I know, gentlemen, I would but insult you, if I were to apologize for detaining you thus long: if I have an apology to make to any person, it is to my client, for thus delaying his acquittal. Sweet is the recollection of having done justice, in that hour when the hand of death presses on the human heart! Sweet is the hope which it gives birth to! From you I demand that jus-

tice for my client, your innocent and unfortunate fellow subject at the bar; and may you have for it a more lasting reward than the perishable crown we read of, which the ancients placed on the brow of him who saved in battle the life of a fellow citizen.

If you should ever be assailed by the hand of the *informer*, may you find an all-powerful refuge in the example which you shall set this day; earnestly do I pray that you may never experience what it is to count the tedious hours in captivity, pining in the damps and gloom of the dungeon, while the wicked one is going about at large, seeking whom he may devour. There is another than a human tribunal, where the best of us will have occasion to look back on the little good we have done. In that awful trial, oh! may your verdict this day assure your hopes, and give you strength and consolation in the presence of an ADJUDGING GOD.

CURRAN.

CONDITION OF IRELAND, AND CHARACTER OF INFORMERS,

FROM THE SPEECH IN DEFENCE OF MR. PETER FINNERTY,
DECEMBER 22, 1797.

MERCIFUL GOD! what is the state of Ireland, and where shall you find the wretched inhabitant of this land? You may find him perhaps in gaol, the only place of security, I had almost said, of ordinary habitation; you may see him flying by the conflagration of his own dwelling; or you may find his bones bleaching

on the green fields of his country; or he may be found tossing upon the surface of the ocean, and mingling his groans with those tempests, less savage than his persecutors, that drift him to a returnless distance from his family and his home. And yet, with these facts ringing in the ears and staring in the face of the prosecutors, you are called upon to say, on your oaths, that these facts do not exist. You are called upon, in defiance of shame, of truth, of honor, to deny the sufferings under which you groan, and to flatter the persecution that tramples you under foot.

But the learned gentleman is further pleased to say, that the traverser has charged the government with the encouragement of informers. This, gentlemen, is another small fact that you are to deny at the hazard of your souls, and upon the solemnity of your oaths. You are upon your oaths to say to the sister country, that the government of Ireland uses no such abominable instruments of destruction as informers. Let me ask you honestly, what do you feel, when in my hearing, when in the face of this audience, you are called upon to give a verdict that every man of us, and every man of you, know by the testimony of your own eyes to be utterly and absolutely false? I speak not now of the public proclamation for informers, with a promise of secrecy and of extravagant reward; I speak not of the fate of those horrid wretches who have been so often transferred from the table to the dock, and from the dock to the pillory; I speak of what your own eyes have seen day after day, during the course of this commission, from the box where you are now sitting; the number of horrid miscreants who

avowed upon their oaths that they had come from the very seat of government—from the castle, where they had been worked upon by the fear of death and the hopes of compensation, to give evidence against their fellows; that the mild and wholesome councils of this government are holden over these catacombs of living death, where the wretch that is buried a man, lies till his heart has time to fester and dissolve, and is then dug up a witness.

Is this fancy, or is it fact? Have you not seen him, after his resurrection from that tomb, after having been dug out of the region of death and corruption, make his appearance upon the table, the living image of life and of death, and the supreme arbiter of both? Have you not marked when he entered, how the stormy wave of the multitude retired at his approach? Have you not marked how the human heart bowed to the supremacy of his power, in the undissembled homage of deferential horror? How his glance, like the lightning of heaven, seemed to rive the body of the accused, and mark it for the grave, while his voice warned the devoted wretch of wo and death; a death which no innocence can escape, no art elude, no force resist, no antidote prevent;—there was an antidote—a juror's oath; but even that adamant chain, that bound the integrity of man to the throne of eternal justice, is solved and melted in the breath that issues from the informer's mouth; conscience swings from her mooring, and the appalled and affrighted juror consults his own safety in the surrender of the victim:—

Et quæ sibi quisque timebat.—

Unius in miseri exitium conversa tulere.

CURRAN.

FROM THE SPEECH BEFORE THE HOUSE OF COMMONS.

AGAINST THE ATTAINDER OF LORD EDWARD FITZGERALD, AND
IN FAVOR OF LADY PAMELA FITZGERALD AND HER INFANT
CHILDREN.

ONE topic more, said he, you will permit me to add: Every act of the sort ought to have a practical morality flowing from its principle: if loyalty and justice require that these infants should be deprived of bread, must it not be a violation of that principle to give them food or shelter? Must not every loyal and just man wish to see them, in the words of the famous Golden Bull, "always poor and necessitous, and for ever accompanied by the infamy of their father, languishing in continued indigence, and finding their punishment in living, and their relief in dying."

If the widowed mother should carry the orphan heir of her unfortunate husband, to the gate of any man who might feel himself touched with the sad vicissitudes of human affairs, who might feel a compassionate reverence for the noble blood that flowed in his veins, *nobler than the royalty that first ennobled it*, that, like a rich stream, rose till it ran, and hid its fountain. If, remembering the many noble qualities of his unfortunate father, his heart melted over the calami-

ties of the child; if his heart swelled, if his eyes overflowed, if his too precipitate hand was stretched out by his pity, or his gratitude to the poor excommunicated sufferers, how could he justify the *rebel tear*, or the *traitorous humanity*?

I shall trespass no longer upon the patience for which I am grateful;—one word only, and I have done. And that is, once more, earnestly and solemnly to conjure you to reflect, that the fact—I mean the fact of guilt or innocence, which must be the foundation of this bill,—is not now, after the death of the party, capable of being tried, consistently with the liberty of a free people, or the unalterable rules of eternal justice.

And as to the forfeiture and the ignominy which it enacts, that only can be punishment which lights upon guilt; and that can be only *vengeance* which *breaks* upon INNOCENCE.

CURRAN.

FROM THE SPEECH, IN THE CASE OF HEVEY AGAINST SIRR.

I CANNOT also but observe to you, continued Mr. Curran, that the real state of one country is more forcibly impressed on the attention of another, by a verdict on such a subject as this, than it could be by any general description. When you endeavour to convey an idea of a great number of barbarians, practising a great variety of cruelties upon an incalculable multitude of sufferers, nothing defined or specific finds its way to the heart, nor is any sentiment excited, save

that of a general erratic unappropriated commiseration. If, for instance, you wished to convey to the mind of an English matron the horrors of that direful period, when, in defiance of the remonstrance of the ever to be lamented Abercromby, our poor people were surrendered to the licentious brutality of the soldiery, by the authority of the state, you would vainly endeavor to give her a general picture of lust, and rapine, and murder, and conflagration. By endeavoring to comprehend every thing, you would convey nothing. When the father of poetry wishes to portray the movements of contending armies, and an embattled field, he exemplifies only, he does not describe; he does not venture to describe the perplexed and promiscuous conflicts of adverse hosts; but by the acts and fates of a few individuals he conveys a notion of the vicissitudes of the fight, and the fortunes of the day. So should your story to her keep clear of generalities; instead of exhibiting the picture of an entire province, select a single object; and even in that single object do not release the imagination of your hearer from its task, by giving more than an outline; take a cottage; place the affrighted mother of her orphan daughters at the door, the paleness of death upon her face, and more than its agonies in her heart; her aching heart, her anxious ear, struggling through the mist of closing day, to catch the approaches of desolation and dishonor. The ruffian gang arrives, the feast of plunder begins, the cup of madness kindles in its circulation. The wandering glances of the ravisher become concentrated upon the shrinking and devoted victim. You need not dilate, you need not expatiate; the unpolluted

mother, to whom you tell the story of horror, beseeches you not to proceed; she presses her child to her heart, she drowns it in her tears, her fancy catches more than an angel's tongue could describe; at a single view she takes in the whole miserable succession of force, of profanation, of despair, of death.—So it is in the question before us. If any man shall hear of this day's transaction, he cannot be so foolish as to suppose that we have been confined to a single character like those now brought before you. No, gentlemen; far from it; he will have too much common sense, not to know, that outrages like this are never solitary; that where the public calamity generates imps like those, their number is as the sands of the sea, and their fury as insatiable as its waves.

CURRAN.

RELIGIOUS BIGOTRY,

FROM THE SPEECH IN DEFENCE OF EVEN KIRWAN.

I no longer behold the ravages of that odious bigotry by which we were deformed, and degraded, and disgraced—a bigotry against which no honest man should ever miss an opportunity of putting his countrymen, of all sects and of all descriptions, upon their guard: it is the accursed and promiscuous progeny of servile hypocrisy, of remorseless lust of power—of insatiate thirst of gain—laboring for the destruction of man, under the specious pretences of religion—her banner stolen from the altar of God, and her allies congregated from the abysses of hell, she acts by votaries to

be restrained by no compunctions of humanity, for they are dead to mercy; to be reclaimed by no voice of reason, for refutation is the bread on which their folly feeds: they are outlawed alike from their species and their Creator; the object of their crime is social life, and the wages of their sin is social death; for though it may happen that a guilty individual should escape from the law that he has broken, it cannot be so with nations: their guilt is too extensive and unwieldy for such escape: they may rest assured that Providence has, in the natural connexion between causes and their effects, established a system of retributive justice, by which the crimes of nations are sooner or later avenged by their own inevitable consequences. But that hateful bigotry—that baneful discord, which fired the heart of man, and steeled it against his brother, has fled at last, and I trust for ever.

CURRAN.

CHARACTER OF LORD AVONMORE,

FROM THE SPEECH IN THE CAUSE OF THE KING AGAINST
MR. JUSTICE JOHNSON.

I AM not ignorant, my lords, that this extraordinary construction has received the sanction of another court, nor of the surprise and dismay with which it smote upon the general heart of the bar. I am aware that I may have the mortification of being told, in another country, of that unhappy decision; and I foresee in what confusion I shall hang down my head when I am told it. But I cherish too the consolatory hope, that I

shall be able to tell them that I had an old and learned friend, whom I would put above all the sweepings of their hall, who was of a different opinion; who had derived his ideas of civil liberty from the purest fountains of Athens and of Rome; who had fed the youthful vigor of his studious mind with the theoretic knowledge of their wisest philosophers and statesmen; and who had refined the theory into the quick and exquisite sensibility of moral instinct, by contemplating the practice of their most illustrious examples; by dwelling on the sweet souled piety of Cimon; on the anticipated christianity of Socrates, on the gallant and pathetic patriotism of Epaminondas; on that pure austerity of Fabricius, whom to move from his integrity, would have been more difficult than to have pushed the sun from his course. I would add, that if he had seemed to hesitate, it was but for a moment; that his hesitation was like the passing cloud that floats across the morning sun, and hides it from the view, and does so for a moment hide it, by involving the spectator without even approaching the face of the luminary: and this soothing hope I draw from the dearest and tenderest recollections of my life, from the remembrance of those Attic nights, and those refectations of the gods which we have spent with those admired and respected and beloved companions who have gone before us,—over whose ashes the most precious tears of Ireland have been shed: yes, my good lord, I see you do not forget them; I see their sacred forms passing in sad review before your memory; I see your pained and softened fancy recalling those happy meetings when the innocent enjoyment of social mirth

expanded into the nobler warmth of social virtue; and the horizon of the board became enlarged into the horizon of man;—when the swelling heart conceived and communicated the pure and generous purpose,—when my slenderer and younger taper imbibed its borrowed light from the more matured and redundant fountain of yours. Yes, my lord, we can remember those nights without any other regret than that they can never more return, for

“We spent them not in toys, or lust, or wine;
 But search of deep philosophy,
 Wit, eloquence and poesy,
 Arts which I lov’d; for they, my friend, were thine.”

PHILLIPS.

A SPEECH,

DELIVERED AT A DINNER GIVEN ON DINAS ISLAND, IN THE
 LAKE OF KILLARNEY, ON MR. PHILLIPS' HEALTH BEING GIVEN,
 TOGETHER WITH THAT OF MR. PAYNE, A YOUNG AMERICAN.

It is not with the vain hope of returning by words the kindnesses which have been literally showered on me during the short period of our acquaintance, that I now interrupt, for a moment, the flow of your festivity. Indeed, it is not necessary; an Irishman needs no requital for his hospitality; its generous impulse is the instinct of his nature, and the very consciousness of the act carries its recompense along with it. But, sir, there are sensations excited by an allusion in your toast, under the influence of which, silence would be impossible. To be associated with Mr. Payne must be, to any one who regards private virtues and per-

sonal accomplishments, a source of peculiar pride; and that feeling is not a little enhanced in me by a recollection of the country to which we are indebted for his qualifications. Indeed, the mention of America has never failed to fill me with the most lively emotions. In my earliest infancy, that tender season when impressions, at once the most permanent and the most powerful, are likely to be excited, the story of her then recent struggle raised a throb in every heart that loved liberty, and wrung a reluctant tribute even from discomfited oppression. I saw her spurning alike the luxuries that would enervate, and the legions that would intimidate; dashing from her lips the poisoned cup of European servitude, and, through all the vicissitudes of her protracted conflict, displaying a magnanimity that defied misfortune, and a moderation that gave new grace to victory. It was the first vision of my childhood; it will descend with me to the grave. But if as a man, I venerate the mention of America, what must be my feelings towards her as an Irishman. Never, oh never, while memory remains, can Ireland forget the home of her emigrant, and the asylum of her exile. No matter whether their sorrows sprung from the errors of enthusiasm, or the realities of suffering—from fancy or infliction; that must be reserved for the scrutiny of those whom the lapse of time shall acquit of partiality. It is for the men of other ages to investigate and record it: but surely it is for the men of every age to hail the hospitality that received the shelterless, and love the feeling that befriended the unfortunate. Search creation round, where can you find a country that presents so sublime a view, so interest-

ing an anticipation? What noble institutions! What a comprehensive policy! What a wise equalization of every political advantage! The oppressed of all countries, the martyrs of every creed, the innocent victim of despotic arrogance or superstitious phrenzy, may there find refuge; his industry encouraged, his piety respected, his ambition animated; with no restraint but those laws which are the same to all, and no distinction but that which his merit may originate. Who can deny that the existence of such a country presents a subject for human congratulation! Who can deny, that its gigantic advancement offers a field for the most rational conjecture! At the end of the very next century, if she proceeds as she seems to promise, what a wondrous spectacle may she not exhibit! Who shall say for what purpose a mysterious Providence may not have designed her! Who shall say that when in its follies or its crimes, the old world may have interred all the pride of its power, and all the pomp of its civilization, human nature may not find its destined renovation in the new! For myself, I have no doubt of it. I have not the least doubt that when our temples and our trophies shall have mouldered into dust—when the glories of our name shall be but the legend of tradition, and the light of our achievements only live in song; philosophy will rise again in the sky of her Franklin, and glory rekindled at the urn of her Washington. Is this the vision of romantic fancy? Is it even improbable? Is it half so improbable as the events, which, for the last twenty years have rolled like successive tides over the surface of the European world, each erasing the impressions that preceded it?

Thousands upon thousands, Sir, I know there are, who will consider this supposition as wild and whimsical; but they have dwelt with little reflection upon the records of the past. They have but ill observed the never-ceasing progress of national rise and national ruin. They form their judgment on the deceitful stability of the present hour, never considering the innumerable monarchies and republics, in former days, apparently as permanent, their very existence become now the subjects of speculation—I had almost said of scepticism. I appeal to History! Tell me, thou reverend chronicler of the grave, can all the illusions of ambition realized, can all the wealth of a universal commerce, can all the achievements of successful heroism, or all the establishments of this world's wisdom, secure to empire the permanency of its possessions? Alas, Troy thought so once; yet the land of Priam lives only in song! Thebes thought so once, yet her hundred gates have crumbled, and her very tombs are but as the dust they were vainly intended to commemorate! So thought Palmyra—where is she? So thought Persepolis, and now—

“Yon waste, where roaming lions howl,
Yon aisle, where moans the grey-eyed owl,
Shows the proud Persian's great abode,
Where sceptered once, an earthly god,
His power-clad arm controlled each happier clime,
Where sports the warbling muse, and fancy soars sublime.”

So thought the countries of Demosthenes and the Spartan, yet Leonidas is trampled by the timid slave, and Athens insulted by the servile, mindless, and enervate Ottoman! In his hurried march, Time has but looked at their imagined immortality, and all its

vanities, from the palace to the tomb, have, with their ruins, erased the very impression of his footsteps! The days of their glory are as if they had never been; and the island that was then a speck, rude and neglected in the barren ocean, now rivals the ubiquity of their commerce, the glory of their arms, the fame of their philosophy, the eloquence of their senate, and the inspiration of their bards! Who shall say, then, contemplating the past, that England, proud and potent as she appears, may not one day be what Athens is, and the young America yet soar to be what Athens was! Who shall say, when the European column shall have mouldered, and the night of barbarism obscured its very ruins, that that mighty continent may not emerge from the horizon, to rule, for its time, sovereign of the ascendant.

Such, sir, is the natural progress of human operations, and such the unsubstantial mockery of human pride. But I should, perhaps, apologise for this digression. The tombs are, at best, a sad, although an instructive subject. At all events, they are ill suited to such an hour as this. I shall endeavor to atone for it, by turning to a theme which tombs cannot inurn, or revolution alter. It is the custom of your board, and a noble one it is, to deck the cup of the gay with the garland of the great; and surely, even in the eyes of its deity, his grape is not the less lovely when glowing beneath the foliage of the palm tree and the myrtle. Allow me to add one flower to the chaplet, which, though it sprang in America, is not exotic. Virtue planted it, and it is naturalized every where. I see you anticipate me—I see you concur with me, that it matters very little what immediate spot may be the

birth place of such a man as WASHINGTON. No people can claim, no country can appropriate him; the boon of Providence to the human race, his fame is eternity, and his residence creation. Though it was the defeat of our arms, and the disgrace of our policy, I almost bless the convulsion in which he had his origin. If the heavens thundered and the earth rocked, yet, when the storm passed, how pure was the climate that it cleared; how bright in the brow of the firmament was the planet which it revealed to us! In the production of Washington, it does really appear as if nature was endeavoring to improve upon herself, and that all the virtues of the ancient world were but so many studies preparatory to the patriot of the new. Individual instances no doubt there were; splendid exemplifications of some single qualification. Cæsar was merciful, Scipio was continent, Hannibal was patient; but it was reserved for Washington to blend them all in one, and like the lovely *chef d'œuvre* of the Grecian artist, to exhibit in one glow of associated beauty, the pride of every model, and the perfection of every master. As a General, he marshalled the peasant into a veteran, and supplied by discipline the absence of experience; as a statesman, he enlarged the policy of the cabinet into the most comprehensive system of general advantage; and such was the wisdom of his views, and the philosophy of his counsels, that to the soldier and the statesman he almost added the character of the sage; a conqueror, he was untainted with the crime of blood; a revolutionist, he was free from any stain of treason; for aggression commenced the contest, and his country called him to the command.

Liberty unsheathed his sword, necessity stained, victory returned it. If he had paused here, history might have doubted what station to assign him, whether at the head of her citizens or her soldiers, her heroes or her patriots. But the last glorious act crowns his career, and banishes all hesitation. Who, like Washington, after having emancipated a hemisphere, resigned its crown, and preferred the retirement of domestic life to the adoration of a land he might be almost said to have created?

“How shall we rank thee upon glory’s page,
Thou more than soldier, and just less than sage;
All thou hast been reflects less fame on thee,
Far less than all thou hast forborne to be!”

Such, Sir, is the testimony of one not to be accused of partiality in his estimate of America. Happy, proud America! the lightnings of heaven yielded to your philosophy! The temptations of earth could not seduce your patriotism!

I have the honor, sir, of proposing to you a toast.
THE IMMORTAL MEMORY OF GEORGE WASHINGTON.

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FROM

### MR. PHILLIPS’ SPEECH AT SLIGO.

CURRAN, who, when thrones were crumbled and dynasties forgotten, might stand the landmark of his country’s genius, rearing himself amid regal ruins and national dissolution, a mental pyramid in the solitude of time, beneath whose shade things might moulder, and round whose summit eternity must play.

FROM

## MR. PHILLIPS' SPEECH AT CORK.

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HAS it ever glanced across their christian zeal, if the story of our country should have casually reached the valleys of Hindostan, with what an argument they are furnishing the heathen world against their sacred missionary? In what terms could the christian ecclesiastic answer the Eastern Bramin, when he replied to his exhortations in language such as this? "Father, we have heard your doctrine; it is splendid in theory, specious in promise, sublime in prospect; like the world to which it leads, it is rich in the miracles of light. But, Father, we have heard that there are times when its rays vanish and leave your sphere in darkness, or when your only lustre arises from meteors of fire, and moons of blood; we have heard of the verdant island which the Great Spirit has raised in the bosom of the waters with such a bloom of beauty, that the very wave she has usurped, worships the loveliness of her intrusion. The sovereign of our forests is not more generous in his anger than her sons; the snowflake, ere it falls on the mountain, is not purer than her daughters; little inland seas reflect the splendors of her landscape, and her valleys smile at the story of the serpent! Father, is it true, that this isle of the sun, this people of the morning, find the fury of the ocean in your creed, and more than the venom of the viper in



your policy? Is it true, that for six hundred years her peasant has not tasted peace, nor her piety rested from persecution? Oh, Brama! defend us from the God of the christian! Father, father, return to your brethren, retrace the waters; we may live in ignorance, but we live in love; and we will not taste the tree that gives us evil when it gives us wisdom. The heart is our guide, nature is our gospel; in the imitation of our fathers we found our hope; and, if we err, on the virtue of our motives we rely for our redemption." How would the missionaries of the mitre answer him? How will they answer that insulted being of whose creed their conduct carries the refutation?

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## BIGOTRY,

FROM THE SPEECH OF MR. PHILLIPS AT DUBLIN.

BIGOTRY! She has no head, and cannot think; she has no heart, and cannot feel; when she moves, it is in wrath; when she pauses, it is amid ruin; her prayers are curses, her communion is death, her vengeance is eternity, her decalogue is written in the blood of her victims; and if she stoops for a moment from her infernal flight, it is upon some kindred rock to whet her vulture fang for keener rapine, and replume her wing for a more sanguinary desolation! I appeal from this infernal, grave-stalled fury; I appeal to the good sense, to the policy, to the gratitude of England; and I make my appeal peculiarly at this moment, when all the illustrious potentates of Europe are assembled together in the British capital, to hold the great festival of universal peace and universal emancipation.



## LIBERTY OF THE PRESS,

FROM THE SPEECH IN THE CASE OF O'MULLEN AGAINST  
MC'KORKILL.

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THERE is, however, one subject connected with this trial, public in its nature, and universal in its interest, which imperiously calls for an exemplary verdict; I mean the liberty of the press—a theme which I approach with mingled sensations of awe, and agony, and admiration. Considering all that we too fatally have seen—all that, perhaps, too fearfully we may have cause to apprehend, I feel myself cling to that residuary safeguard, with an affection no temptations can seduce, with a suspicion no anodyne can lull, with a fortitude that peril but infuriates. In the direful retrospect of experimental despotism, and the hideous prospect of its possible re-animation, I clasp it with the desperation of a widowed female, who, in the desolation of her house, and the destruction of her household, hurries the last of her offspring through the flames, at once the relic of her joy, the depository of her wealth, and the remembrancer of her happiness. It is the duty of us all to guard strictly this inestimable privilege—a privilege which can never be destroyed, save by the licentiousness of those who wilfully abuse it. *No, it is not in the arrogance of power; no, it is not in the artifices of law; no, it is not in the fatuity of princes; no, it is not in the venality of parliaments to crush this mighty, this majestic privilege; reviled, it will*

*remonstrate; murdered, it will revive; buried, it will re-ascend; the very attempt at its oppression will prove the truth of its immortality, and the atom that presumed to spurn, will fade away before the trumpet of its retribution!* Man holds it on the same principle that he does his soul: the powers of this world cannot prevail against it; it can only perish through its own depravity.

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## SEDUCTION,

FROM THE SPEECH IN THE CASE OF BROWNE AGAINST BLAKE.

THE hour of adversity is woman's hour—in the full blaze of fortune's rich meridian, her modest beam retires from vulgar notice; but when the clouds of wo collect around us, and shades and darkness dim the wanderer's path, that chaste and lovely light shines forth to cheer him, an emblem and an emanation of the heavens!—It was then her love, her value, and her power was visible. No, it is not for the cheerfulness with which she bore the change I prize her—it is not that without a sigh she surrendered all the baubles of prosperity—but that she pillowed her poor husband's heart, welcomed adversity to make him happy, held up her little children as the wealth that no adversity could take away; and when she found his spirit broken and his soul dejected, with a more than masculine understanding, retrieved, in some degree his desperate fortunes, and saved the little wreck that solaced their retirement. What was such a woman worth, I ask you? If you can stoop to estimate by dross the worth of such a creature, give

me even a notary's calculation, and tell me then what she was worth to him to whom she had consecrated the bloom of her youth, the charm of her innocence, the splendor of her beauty, the wealth of her tenderness, the power of her genius, the treasure of her fidelity? She, the mother of his children, the pulse of his heart, the joy of his prosperity, the solace of his misfortunes—what was she worth to him? Fallen as she is, you may still estimate her; you may see her value, even in her ruin. The gem is sullied, the diamond is shivered; but even in its dust you may see the magnificence of its material. After this, they retired to Rockville, their seat in the county of Galway, where they resided in the most domestic manner, on the remnant of their once splendid establishment. The butterflies, that in their noontide fluttered round them, vanished at the first breath of their adversity; but one early friend still remained faithful and affectionate, and that was the defendant. Mr. Blake is a young gentleman of about eight and twenty; of splendid fortune, polished in his manners, interesting in his appearance, with many qualities to attach a friend, and every quality to fascinate a female. Most willingly do I pay the tribute which nature claims for him; most bitterly do I lament that he has been so ungrateful to so prodigal a benefactress. The more Mr. Browne's fortunes accumulated, the more disinterestedly attached did Mr. Blake appear to him. He shared with him his purse, he assisted him with his counsel; in an affair of honor he placed his life and character in his hands—he introduced his innocent sister, just arrived from an English nunnery, into the family of his friend—he encouraged

every reciprocity of intercourse between the females; and, to crown all, that no possible suspicion might attach to him, he seldom travelled without his domestic chaplain! Now, if it shall appear that all this was only a screen for his adultery—that he took advantage of his friend's misfortune to seduce the wife of his bosom—that he affected confidence only to betray it—that he perfected the wretchedness he pretended to console, and that in the midst of poverty he has left his victim, friendless, hopeless, companionless; a husband without a wife, and a father without a child. Gracious God! is it not enough to turn Mercy herself into an executioner! You convict for murder—here is the hand that murdered innocence! You convict for treason—here is the vilest disloyalty to friendship! You convict for robbery—here is one who plundered virtue of her dearest pearl, and dissolved it—even in the bowl that hospitality held out to him! They pretend that he is innocent! Oh effrontery, the most unblushing! Oh vilest insult, added to the deadliest injury! Oh base, detestable, and damnable hypocrisy! Of the final testimony it is true enough their cunning has deprived us; but under Providence, I shall pour upon this baseness such a flood of light, that I will defy, not the most honorable man merely, but the most charitable sceptic, to touch the Holy Evangelists and say, by their sanctity, it has not been committed. Attend upon me, now, gentlemen, step by step, and with me rejoice, that, no matter how cautious may be the conspiracies of guilt, there is a power above to confound and to discover them.



## PHILLIPS.

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### IRISH VIRTUE,

FROM THE SPEECH IN THE CASE OF BROWN AGAINST BLAKE.

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AGAINST the sneer of the foe, and the scepticism of the foreigner, I will still point to the domestic virtues, that no perfidy could barter, and no bribery can purchase, that with a Roman usage, at once embellish and consecrate households, giving to the society of the hearth all the purity of the altar; that lingering alike in the palace and the cottage, are still to be found scattered over this land; the relic of what she was; the source perhaps of what she may be; the lone, the stately, and magnificent memorials, that rearing their majesty amid surrounding ruins serve at once as the land-marks of the departed glory, and the models by which the future may be erected.

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## PHILLIPS.

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### THE BIBLE,

FROM THE SPEECH AT LONDON.

IN despite of all their scoff, and scorn, and menacing, I say of the sacred volume they would obliterate, it is a book of facts, as well authenticated as any heathen history—a book of miracles, incontestibly avouched—a book of prophecy, confirmed by past as well as present fulfilment—a book of poetry, pure and natural, and elevated even to inspiration—a book of morals, such as human wisdom never framed for the perfection of human happiness. My lord, I will abide by the precepts, admire the beauty, revere the mysteries, and, as far as in me lies, practise the mandates of this sacred volume;



and should the ridicule of earth, and the blasphemy of hell assail me, I shall console myself by the contemplation of those blessed spirits, who, in the same holy cause have toiled, and shone, and suffered. In the “goodly fellowship of the saints”—in the “noble army of the martyrs”—in the society of the great, and good, and wise of every nation, if my sinfulness be not cleansed, and my darkness illuminated, at least my pretensionless submission may be excused. If I err with the luminaries I have chosen for my guides, I confess myself captivated by the loveliness of their aberrations. If they err, it is in a heavenly region—if they wander, it is in the fields of light—if they aspire, it is at all events a glorious daring; and rather than sink with infidelity into the dust, I am content to cheat myself with their vision of eternity. It may indeed be nothing but delusion, but then I err with the disciples of philosophy and of virtue—with men who have drunk deep at the fountain of human knowledge, but who dissolved not the pearl of their salvation in the draught. I err with Bacon, the great Bacon—the great confidant of nature, fraught with all the learning of the past, and almost prescient of the future; yet too wise not to know his weakness, and too philosophic not to feel his ignorance. I err with Milton, rising on an angel’s wing to heaven, and like the bird of morn, soaring out of light, amid the music of his grateful piety. I err with Locke, whose pure philosophy only taught him to adore its source, whose warm love of genuine liberty was never chilled into rebellion with its author. I err with Newton, whose star-like spirit shot athwart the darkness of the sphere, too soon to re-ascend to the home of his nativity.

## MR. GRATTAN'S SPEECH,

ON THE DECLARATION OF RIGHT,

APRIL 16, 1782.

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I AM now to address a free people; ages have passed away, and this is the first moment in which you could be distinguished by that appellation.

I have spoken on the subject of your liberty so often, that I have nothing to add, and have only to admire by what heaven directed motion you have proceeded until the whole faculty of the nation is braced up to the act of her own deliverance.

I found Ireland on her knees: I watched over her with an eternal solicitude: I have traced her progress from injuries to arms, and from arms to liberty. Spirit of Swift! Spirit of Molyneaux! Your genius has prevailed! Ireland is now a nation! and in that new character I hail her! and bowing to her august presence, I say, *esto perpetua!*

She is no longer a wretched colony, returning thanks to her governor for his rapine, and to her king for his oppression; nor is she now a squabbling, fretful sectary, perplexing her little wits, and firing her furious statutes with bigotry, sophistry, disabilities and death, to transmit to posterity insignificance and war.

Look to the rest of Europe, and contemplate yourself

and be satisfied. Holland lives on the memory of past achievement; Sweden has lost her liberty; England has sullied her great name by an attempt to enslave her colonies. You are the only people—you, of the nations of Europe, are now the only people who excite admiration, and, in your present conduct you not only exceed the present generation, but now equal the past. I am not afraid to turn back and look antiquity into the face: the revolution—that great event, whether you call it ancient or modern I know not, was tarnished with bigotry; the great deliverer (for such I must ever call the prince of Nassau,) was blemished with oppression; he assented to, he was forced to assent to, acts which deprived the Catholics of religious, and all the Irish of civil and commercial rights, though the Irish were the only subjects in these Islands, who had fought in his defence. But you have sought liberty on her own principle: see the Presbyterians of Bangor petition for the freedom of the Catholics of Munster. You, with difficulties innumerable, with dangers not a few, have done what your ancestors wished, but could not accomplish; and what your posterity may preserve, but will never equal. You have moulded the jarring elements of your country into a nation: you have rivalled those great and ancient commonwealths, whom you were taught to admire, and among them you are now to be recorded. In this proceeding you had not the advantages which were common to other great countries: no monuments, no trophies, none of those outward and visible signs of greatness, such as inspire mankind, and connect the ambition of the age which is coming on with the example of that going off, and

forms the descent and concatenation of glory: no! you have not had any great act recorded among all your misfortunes, nor have you one public tomb at which to assemble the crowd, and speak to the living the language of integrity and freedom.

Your historians did not supply the want of monuments: on the contrary, these narrators of your misfortunes, who should have felt for your wrongs, and have punished your oppressors with natural scourges,—with the moral indignation of history compromised with public villainy and trembled; they excited your violence, they suppressed your provocation, and wrote in the chain which entrammelled their country. I come to break that chain, and I congratulate my country, who, without any of the advantages I speak of, going forth as it were with nothing but a stone and a sling, and what oppression could not take away, the favor of heaven, accomplished her own redemption and left you nothing to add, and every thing to admire.

You want no trophy now; the records of parliament are the evidence of your glory: I beg to observe that the deliverance of Ireland has proceeded from her own right hand: I rejoice at it, for had the great requisition for your freedom, proceeded from the bounty of England, that great work would have been defective both in renown and in security: it was necessary that the soul of the country should have been exalted by the act of her own redemption, and that England should withdraw her claim by operation of treaty, and not of mere grace and condescension; a gratuitous act of parliament, however express, would have been



revocable, but the repeal of her claim under operation of treaty is not; in that case the legislature is put in covenant, and bound by the laws of nations, the only law that can legally bind parliament: never did this country stand so high; England and Ireland treat *ex æquo*. Ireland transmits to the King her claim of right, and requires of the parliament of England the repeal of her claim of power, which repeal the English parliament is to make under the force of a treaty, which depends on the law of nations—a law which cannot be repealed by the parliament of England.

I rejoice that the people are a party to this treaty, because they are bound to preserve it. There is not a man of forty shillings freehold who is not associated in this our claim of right, and bound to die in its defence; cities, counties, and associations, Protestants and Catholics; it seems as if the people had joined in one great national sacrament; a flame has descended from heaven on the intellect of Ireland, plays round her head, and encompasses her understanding with a consecrated glory.

There are some who think, and a few who declare, that the associations to which I refer are illegal: come then, let us try the charge and state the grievance—and first I ask what were the grievances? An army imposed on us by another country, that army rendered perpetual; the privy council of both countries made a part of our legislature; our legislature deprived of its originating and propounding power; another country exercising over us supreme legislative power; that country disposing of our property by its judgments,



and prohibiting our trade by its statutes; these were not grievances, but spoliations, which left you nothing. When you contended against them you contended for the whole of your condition: when the minister asked, by what right? We refer him to our Maker. We sought our privileges by the right which we have to defend our property from a robber, our life against a murderer, our country against an invader, whether coming from civil or military force—a foreign army or a foreign legislature. This is a case, which wants no precedent; the *revolution* wanted no precedent; for such things arrive to reform a course of bad precedent, and instead of being founded on precedent become such: the gazing world, whom they come to save, begins by doubt and concludes by worship. Let other nations be deceived by the sophistry of courts. Ireland has studied politics in the lair of oppression, and, taught by suffering, comprehends the rights of subjects and the duty of kings. Let other nations imagine that subjects are made for the monarch, but we conceive that kings and parliaments, like kings, are made for the subject.

The house of commons, honorable and right honorable as it may be; the lords, noble and illustrious, as we pronounce them, are not original but derivative. Session after session, they move their periodical orbit about the source of their being, the nation; even the king's majesty must fulfil his due and tributary course round that great luminary; and created, by its beam, and upheld by its attraction, must incline to that light or go out of the system.

Ministers, we mean the ministers who have gone out; (I rely on the good intentions of the present,) former ministers, I say, have put questions to us: we beg to put questions to them. They desire to know, by what authority this nation has acted? This nation desires to know, by what authority they have acted? By what authority did government enforce the articles of war? By what authority does government establish the post office? By what authority are our merchants bound by the charter of the East India company? By what authority has Ireland for near one hundred years been deprived of her export trade? By what authority are her peers deprived of their judicature? By what authority has that judicature been transferred to the peers of Great Britain, and our property, in its last resort referred to the decision of a non-resident—unauthorized—and unconstitutional tribunal?

Will the ministers say it was the authority of the British parliament? On what ground, then, do they place the question between the government on one side, and the volunteer on the other? According to their own statement, the government has been occupied in superseding the law-giver of the country; and the volunteers are here to restore him. The government has contended for the usurpation, and the people for the laws. His majesty's late government imagined that they had quelled the country when they had bought the newspapers; and they represented us as wild men, and our cause as visionary; and they pensioned a set of wretches to abuse both; but we took little account of them, or of their proceedings, and we

waited, and we watched, and we moved, as it were, on our native hills, with the minor remains of our parliamentary army, until that minority became Ireland. Let those ministers now go home and congratulate the king on the redemption of his people. Did you imagine that those little bodies, whom, three years ago, you beheld, in awkward squads, parading in the streets, should now have arrived to such distinction and effect? What was the cause? For it was not the sword of the volunteer, nor his muster, nor his spirit, nor his promptitude to put down accidental disturbance, or public disorder, nor his own unblamed and distinguished deportment. This was much; but there was more than this; the upper orders, the property, and the abilities of the country, formed with the volunteer; and the volunteer had sense enough to obey them. This united the Protestant with the Catholic, and the landed proprietor with the people. There was still more than this; there was a continence which confined the corps to limited and legitimate objects; there was a principle which has saved the corps from adultery with French politics; there was a good taste which guarded the corps from the affectation of such folly: this, all this, made them bold: for it kept them innocent; it kept them rational: no vulgar cant against England; no crime to conceal; no folly to be ashamed of. They were what they professed to be; and that was nothing less than the society asserting her liberty, according to the frame of the British constitution; her inheritance to be enjoyed in perpetual connection with the British empire. I do not mean to say that there were not divers and unseemly resolutions: the immensity of the means was inseparable from the excess.

Such are the great works of nature: such is the sea: but like the sea, the waste and the excess were lost in the advantage: and now, having given a Parliament to the people, the volunteers, I doubt not, will leave the people to Parliament, and thus close, specifically and majestically, a great work, which will place them above censure and above panegyric. These associations like other institutions, will perish: they will perish with the occasion that gave them being, and the gratitude of their country will write their epitaph, and say: "this phenomenon, the departed volunteer, justified only by the occasion, the birth of spirit and grievances, with some alloy of public evil, did more public good to Ireland than all her institutions; he restored the liberties of his country, and thus from the grave, he answers his enemies," connected by freedom, as well as by allegiance, the two nations, Great Britain and Ireland, form a constitutional confederacy as well as one empire; the crown is one link, the constitution another; and, in my mind, the latter link is the most powerful.

You can get a king any where, but England is the only country with whom you can participate a free constitution. This makes England your natural connection, and her king your natural as well as legal sovereign: this is a connection, not as Lord Coke has idly said, not as Judge Blackstone has foolishly said, not as other judges have ignorantly said, by conquest; but as Molyneux has said, and as I now say, by compact; and this compact is a free constitution. Suffer me now to state some of the things essential to that free constitution; they are as follows: the independency of the Irish Parliament; the exclusion of the British Par-



liament from any authority in this realm; the restoration of the Irish Judicature and the exclusion of that of Great Britian. As to the perpetual mutiny Bill, it must be more than limited; it must be effaced; that Bill must fall or the constitution cannot stand; that bill was originally limited by this house, to two years, and it returned from England without the clause of limitation. What? a bill making the army independent of Parliament and perpetual! I protested against it then, I have struggled with it since, and I have now come to destroy this great enemy of my country. The perpetual mutiny Bill must vanish out of the statute book; the excellent tract of Molyneux was burned: it was not answered; its flame illumined posterity. This evil paper shall be burned, but burned like a felon, that its execution may be a peace-offering to the people, and that a declaration of right may be planted on its guilty ashes; a new mutiny Bill must be formed after the manner of England, and a declaration of right put on the front of it.

As to the legislative powers of the privy council, I conceive them to be utterly inadmissible against the constitution, against the privileges of parliament, and against the constitution of the realm. Do not imagine such power to be theoretical: it is, in a very high degree, a practical evil. I have here an inventory of bills altered and injured by the interference of the privy councils: money bills originated by them, protests by the crown in support of these money bills, prorogation following these protests. I have here a mutiny Bill of 1780, altered by the council, and made perpetual; a Catholic bill in 1778, where the council struck out the clause, repealing the test act; a militia



bill where the council struck out the compulsory clause, requiring the crown to proceed to form a militia, and left it optional to his majesty's minister whether there should be a militia in Ireland. I have the money bill, in 1775, where the council struck out the clause, enabling his majesty to take a part of our troop, for general service, and left it to the minister to withdraw the forces against an act of parliament. I have to state the altered money bill of 1771, the altered money bill of 1775, the altered money bill of 1780; the day would expire before I could recount their ill doings. I will never consent to have men, (God knows who) ecclesiastics, &c. &c., men unknown to the constitution of parliament, and only known to the minister, who has breathed into their nostrils an unconstitutional existence, steal to their dark divan to do mischief, and make nonsense of bills, which their lordships, the house of lords, or we, the house of commons, have thought good and fit for the people. No; these men have no legislative qualifications; they shall have no legislative power.

1st. The repeal of the perpetual mutiny Bill, and the dependency of the Irish arms on the Irish Parliament. 2d. The abolition of the legislative power of the council. 3d. The abrogation of the claim of England to make law for Ireland. 4th. The exclusion of the English house of Peers, and of the English King's Bench, from any judicial authority in this realm. 5th. the restoration of the Irish Peers to their final judicature. The independency of the Irish Parliament in its sole and exclusive legislature.

These are my terms, I will take nothing from the crown.

FROM

## MR. GRATTAN'S SPEECH,

ACCOMPANYING HIS MOTION FOR THE DECLARATION OF IRISH  
RIGHTS, APRIL 19, 1780.

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I READ lord North's proposition; I wish to be satisfied, but I am controlled by a paper; I will not call it a law, it is the sixth of George the first. (The paper was read.) I will ask the gentlemen of the long robe, is this the law? I ask them whether it is not practice? I appeal to the judges of the land whether they are not in a course of declaring that the parliament of Great Britain, naming Ireland, binds her? I appeal to the magistrates of justice whether they do not, from time to time, execute certain acts of the British Parliament? I appeal to the officers of the army, whether they do not fine, and confine, and execute their fellow subjects by virtue of the mutiny act, an act of the British Parliament? And I appeal to this house, whether a country, so circumstanced, is free? Where is the freedom of trade? Where is the security of property? Where is the liberty of the people? I, here, in this declaratory act, see my country proclaimed a slave! I see every man in this house enrolled a slave! I see the judges of the realm, the oracles of the law, borne down by an unauthorized foreign power, by the authority of the British Parliament against law! I see the magistrates prostrate, and I see parliament

witness of these infringements and silent, (silent or employed to preach moderation to the people whose liberties it will not restore;) I therefore say, with the voice of three millions of people, that notwithstanding the import of sugar, betel wood and panella, and the export of woollens and kerseys, nothing is safe, satisfactory, or honorable, nothing but a declaration of right.—What! are you with three millions of men at your back, with charters in one hand, and arms in the other, afraid to say you are a free people? Are you, the greatest house of commons that ever sat in Ireland, that want but this one act to equal that English house of commons, that passed the petition of right, or that other that passed the declaration of right, are you afraid to tell that British Parliament you are a free people? Are the cities, and the instructing counties, who have breathed a spirit that would have done honor to old Rome, when Rome did honor to mankind; are they to be free by connivance? Are the military associations, those bodies whose origin, progress and deportment, have transcended, equalled at least, any thing in modern or ancient story; is the vast line of northern army, are they to be free by connivance? What man will settle among you? Where is the use of the naturalization Bill? What man will settle among you? Who will leave a land of liberty, and a settled government, for a kingdom, controlled by the parliament of another country, whose liberty is a thing by stealth, whose trade a thing by permission, whose judges deny her charters, whose parliament leaves every thing at random; where the chance of freedom depends upon the hope, that the jury shall despise the

judge, stating a British act, or a rabble stop the magistrate executing it, rescue your abdicated privileges, and save the constitution by trampling on the government, by anarchy and confusion?

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## TYRANNY,

FROM THE SAME SPEECH.

IF England is a tyrant, you have made her so. It is the slave that makes the tyrant, and then murmurs at the tyrant that he himself has constituted.

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## AMBITION,

FROM THE SAME.

I HAVE no ambition, unless it be the ambition to break your chain, and contemplate your glory. I never will be satisfied so long as the meanest cottager in Ireland has a link of the British chain clanking to his rags: he may be naked but he shall not be in iron; and I do see the time is at hand, the spirit is gone forth, the declaration is planted; and though great men should apostatise, yet the cause shall live; and though the public speaker should die, yet the immortal fire shall outlast the organ that conveyed it, and the breath of liberty, like the word of the holy man, will not die with the prophet, but survive him.

## PERPETUAL MUTINY BILL,

FROM THE SPEECH, NOV. 13, 1781.

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THE brood that gathers upon the golden wheels of influence, the hirelings of prostitution, always come forward to oppose every measure that can be offered from this quarter, for the good of the people; they are ever ready to swell the tide of influence, and ever ready to support the unconstitutional aims of a mercenary power. This is a very alarming consideration to those that love liberty better than the profits of office; in short we have added the tide of power to the sea of influence, and have bid majesty to govern by either.

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## MR. FLOOD'S SPEECH,

ON SIMPLE REPEAL.

I DO not mean to oppose the most liberal interpretation that can be given to the British act of Parliament in question.\* The right honorable gentleman defends it by saying, that if Ireland had been by name excepted; even that exception of Ireland might have been considered as implying, that if she had not been excepted, she would have been bound; and certainly it would have been exceptionable for that very reason; and for

\* An act regulating the trade to Nevis, St Christopher and Montserrat.



the same reason the law as now worded is exceptionable. But there was a method of avoiding both these exceptions; and if I, a weak and incapable man can at first sight point out an easy method of doing so, how much more easy would it have been for his majesty's ministers to have done so. It might have been worded so as to have included all his majesty's dominions in Europe, that were subject to the legislative authority of the British Parliament: it would then have been an implied assertion of our constitution, instead of being now an implied infringement of it. Had the British Parliament renounced the right, she could have no objection to some such form of words: but she well knew that the repeal of the declaratory act is no renunciation of the right; in this, and in every instance she shows an utter reluctance to such a renunciation: now every symptom of such reluctance on her part is equal to a thousand demonstrations that such a renunciation is necessary for us. I do not understand the doctrine of clerical mistakes: how far is it to lead us? where is its boundary? is it only to hold for the present time, and during the present ministry? or is it to extend to all times, and all ministries? If it is to do the latter, the doctrine is too dangerous to be admitted; and if the former only, it is too partial. No minister of England, no attorney general of Ireland, could desire a more convenient principle than that the doctrine of clerical error, was to excuse an act of the British Parliament binding Ireland: but such a doctrine would soon leave our constitution where it was, and would efface the glories we have been acquiring.

This brings me to speak of the repeal of the declaratory act of George 1st, as it is now proceeding. In the

first place it is an undeniable principle of law, that the mere repeal of a declaratory act does not renounce the principle of it; and it is clear to common sense that nothing but a final renouncing of the principle of this law is adequate to our security. With regard to this law of George 1st, the maxim which I have mentioned obtains with peculiar force. What is the title of the law? It is an act for the better securing the dependency of Ireland: on the face of it, therefore, it imports expressly, that that dependency did before exist, and that, by consequence, it must continue afterwards; unless renounced, it had, indeed, too strong an antecedent existence, to be destroyed by any weak implications. The first authority of law, known to the English constitution, is that of the great Lord Coke: his authority is expressly against us and in favor of the English Parliament. Will any lawyer say that the clear and decided opinion of Lord Coke, in a matter of law, is a thing to be contemned? add to this a number of statutes, made by the English Parliament, and acquiesced in by the Irish nation, antecedent to the declaratory law by George 1st; and will any man be so rash, so foolish, or so corrupt as to say that such a pretension is to be overlooked? or, that it can, rationally be stated to be so void of principle and colour, as that the bare repeal of a subsequent and barely declaratory act can annihilate it? Let no man conceive such a thing.

The honorable gentleman\* says that the giving up the final judicature is a decisive proof of sincerity in the British Parliament, because it cannot be supposed that our final judicature would carry British laws into execution,

\* Mr. Grattan.

but how far does this reasoning go? It shows, indeed, that they think the spirit of this country is so unanimous on this subject at present, as that nobody will appeal to their judicature; or that if any person should appeal, that the decree would be resisted and baffled in the execution of it; they therefore, very wisely determine to give up what it is impossible to retain: but though this may extend (as long as the present spirit continues) to internal final judicature, and to *internal* legislation, yet it does not at all extend to *external* legislation, or to the final judicature proper to that species of legislation. Now what is *external* legislation? It is that species of legislation, which Mr. Fox expressly specifies and asserts, and which not one British member controverted; that is, in other words, the whole of commercial and marine legislation. Now what is the final judicature in that? It is the British fleet! Witness what happened in this kingdom, the other day; the spirit of the country was such that the commissioners dared not refuse a clearance to a vessel though freighted with goods, prohibited by a British act of Parliament, but though the vessel had her clearance she could not sail; and why? because the Stay Frigate was in the bay, ready to seize and confiscate.

The honorable gentleman knows the story to be true and has quoted the fact, himself, within these walls. Now this maritime, or external legislation, and this final judicature of the Stay Frigate is a thing which nothing can reach but a formal renunciation of the right on the part of Great Britain. Is this a situation in which an able general would leave an army? or, in which a wise patriot would leave his country? certainly not. The

honorable member says that the royal word is as firm as a parliamentary renunciation. Does not the honorable gentleman know that the words of the king are the words of the ministry in all constitutional and parliamentary consideration? How often in his short experience has he known that security to fail? Did it give us a Judge's bill in Lord Towsend's time? Did it keep twelve thousand men in the kingdom ever since? Has it secured economy to us, so often promised, and not yet arrived? I will not multiply instances. Now these are cases where the most express words were used in the speech from the throne, which is the speech of the minister and not of the king? In this case is there any express mention of renunciation? No such thing. Now if express words have failed, why may not words fail which are not express? Again, I ask, will any man pretend to affirm, that the declaration of the king can be equal to an act of legislature? No man in his senses can believe it to be so. In the American question what was the doctrine? That if the king wished it ever so much, yet it was not in his power to give up the power of the British Parliament. Did the king ever attempt to make the smallest relaxation without an act of legislature to authorize it. I ask the honorable member whether the king, by a declaration to the British Parliament, could give up any of the rights or pretensions, of the Irish legislature? I am sure he will answer no. Then, by what rule, I ask, can any declaration of the king to us give up or cancel any pretension of the British Parliament? What authority on earth can be so perfectly adequate to it, as that of the parliament of Great Britain itself? But



the honorable gentleman would not accept a great charter, he says, from the British parliament; so jealous is he of its authority; nor would I, provided it contained an assertion of its legislature over us, because that would be nominally a great charter, but really a defeasance and concealment of our constitution. Now this is impliedly the case in an act merely, and simply, of repeal; but if it contained a renunciation of all such authority, I would accept of it, because then it would indeed be a great charter; for what was the great charter of our early kings to their subjects? Was it not, in fact, a renunciation of the usurpations of those kings, and nothing more? It was not a donation, but a mere recognition of the rights of the subject; which recognition became necessary, only, in consequence of the regal usurpations. Now, I ask, did those kings, or any part of mankind ever think that in renouncing those usurpations, they re-established them? No man was ever so frantic as to suppose it; how then could a parallel renunciation by the British Parliament have any tendency to legalize its usurpation? I will venture to say, that a renunciation of all right is the last method that the British Parliament will think of taking by way of establishing her authority over Ireland; and why? because it is the most effectual way on earth of defeating it. The sound of an English act of parliament ought not to frighten us out of the sense of it as if the sound of it could be destructive to us; an act of repeal would be as noxious as an act of renunciation, and if the sense of it can be salutary, it is by its being an act of renunciation. Any other act may be an exercise of legislation over us; but an act of renunciation cannot



be so. The honorable member said that I had thought upon a particular subject until it had become my weakness; may not the remark become applicable to himself? for surely if his zeal on this subject had not outgone even his judgment, great as that is, he would not use the arguments on this occasion, which on any other, he would reprobate from the lips of any servant of the crown; he would not call a British act of parliament, including Ireland, a clerical error; he would not say that a speech from the throne is equal to an act of parliament; that a British act of repeal is a safe exertion of her power towards us, but that an act of renunciation would not be so: he would not say that a renunciation would be a better security, and yet that a repeal is sufficient, in a case where no security can be too great, and in which scarce any is adequate; he would not say that good faith is equal to legal security, or that legal security, with the addition of good faith, is not better than the latter alone.

It is not pleasant for me to differ with the honorable member; but in this case it is unavoidable; it is one of these cases in which I feel myself impelled by so strong a duty, that nothing personal either to myself or others can control me; and I feel it the more my duty to speak out on this occasion, because I have never ceased to repent my having not done so in lord Buckingham's administration with respect to the word foreign which was then inserted in our resolutions—I will not say with evil design, but certainly with evil example. I differed with the honorable member and others, whom I much respect with regard to that expression: I disapprove of it in the strongest terms in private confer-

ence; they did not perhaps approve, but they did not disapprove of it, and therefore it passed without notice. Since, however, it has been felt, and the objection which the honorable gentleman has this day made to the British act which he has quoted, is, that it seems to assume a power over our *foreign* trade. Now this is the very principle upon which I objected then to the word *foreign*, though I was not at that time supported in it; with this omen, therefore, (that I may sometimes differ with the honorable member and not always be in an error) I will go on. The honorable member says that we have the faith of nations to depend on. Now, as to the faith of nations I have this to say, that like every thing else, where it is the best thing that can be had, it is good for that reason; but that where it is not the best thing that can be had, it is, for the same reason, not good: what follows? That it is good between disconnected nations, because there is nothing stronger between, (except force) but it is not good between countries connected by civil government, because there is something stronger there, and that is legal security: but what does the faith of nations between unconnected kingdoms amount to, I ask? to what but to perpetuate warfare, and an everlasting appeal to heaven, as it is called, by a peculiar and very barbarous profanation? In short, what is a state of dependence upon good faith, other than a state of nature, which, though not a state of war, is yet so liable to it, that it is to avoid its disorder that we have yielded to the incumbrances of government? Each of these conditions has some disadvantages; but it would be utterly absurd to retain the disadvantages of both.

If we will submit to the insecurity of mere good faith, let us be freed from the burden of government; but if we are to have the burden of government, let us take care also to have its security. Look at England; has she trusted to the good faith of Ireland, that Ireland will never have any other sovereign than the monarch that sits upon the British throne? No; she has a perpetual Irish law to put it out of doubt.

Has England trusted to the good faith of Ireland that our Parliament should never pass a law disagreeable or disadvantageous to British government? No, she has got a perpetual Irish law to make it impossible. Does any man think that she acted unwisely, or illiberally in doing so? No man can think so. How then can it be unwise, or illiberal in us to desire a legal security in this point, upon which all other legal security depends? The good faith of Ireland is equal to that of any country in the world; and if her good faith was not a sufficient security to England with the British superiority of power to support it, how can good faith be a sufficient security to us in our inferiority?

When the stamp act was repealed, and the declaratory act passed as to America, America was told that it was a sacrifice to British pride, and that it never would be exercised. But how long was it before it was exercised? Is there any man in England that would ask America now to be content with the bare repeal of that declaratory act? Then why should he ask it of Ireland? Ireland had a Parliamentary constitution, the same as that of England, with an hereditary and ennobled branch of Legislature, invested with final judicature, above three hundred years before any colony in

America had a name. These colonies have had popular assemblies, it is true, but not parliaments consisting of kings, lords and commons, with all the powers belonging to them. The final judicature of America was never to any of the orders of her provincial assemblies, nor to the house of lords of Great Britain, but to the British privy council; yet with these, and a thousand other marks of a distinct kingdom in Ireland, and of a colony constitution in the American provinces, without analogy of fact, and without inference of argument, Ireland is at this day, as to the legislative claim of the British Parliament, sunk to a level with the colonies of America, but though she is argumentatively depressed to that level, where the parallel is injurious to her, she is not lifted up to that level where the parallel would be advantageous.

For instance, England says, that constitutionally she has a right to make laws for Ireland as well as for the American provinces; but when the declaratory law is to be given up as to both, a simple repeal is enough as to Ireland, whilst an express and final renunciation is offered to America. This difference can have no foundation in equity or in reason; it can therefore only be grounded on a difference in situation, that is to say, that England is obliged to relinquish more to America, than she is compelled to surrender to Ireland, and that neither England, nor any other nation ever relinquished any authority they could retain. Now I do not blame England for this, because it is the nature of men; but I blame Ireland if she does not see it, and if she does not know, therefore, that nothing is relinquished that is not renounced. I have as great an opinion of the



good faith of England as any man, and therefore I wish to have it solemnly pledged. Now a bare repeal, I say, does not pledge her good faith never to exercise the power, because it is not a renunciation of it, it is therefore that I desire a renunciation; and why? because a renunciation will, in the first place, give all the legal security that the cause is capable of; and because, in the next place, it will pledge the good faith of Great Britain expressly, and when it is expressly pledged, I shall be ready to confide in it. A positive promise is in every case in the world, more to be depended on, than a constructive one, and the greater the honor of the nation that makes it, the more it is to be confided in, and the more it is to be sought; but a simple repeal is not even a constructive promise. Why is it, that in all treaties between unconnected nations, the utmost care is taken to use the most explicit terms? It is not because the most explicit terms may not be violated, but it is because the violation of them is highly dishonorable and highly dangerous to the state that is guilty of it. If after the conduct that Ireland has ever held to Great Britain, England should formally renounce her legislative pretension now, and afterwards should attempt to resume it, her own act of parliament would be her own condemnation all over Europe; every cabinet on the continent would exclaim against her baseness, and would think themselves authorised to assist the oppressed subjects, whom her own act would prove not to be rebels.

Every man, on every side, and of every description, equally confesses that a renunciation is necessary. The honorable gentleman, himself, and every other



man who is content with a simple repeal, profess that they are so, only because they consider a repeal as being a renunciation; now this is unanswerable; a renunciation is certainly a renunciation; nobody can deny that; but a simple repeal may not be so; one therefore is certain, the other, at best, is uncertain. Which shall I prefer, in a case of this consequence? But this is not all; a repeal of a declaratory law, not only may not be a renunciation of its principle, but I maintain that it certainly is not so; in this I am so clear, that I stake my character with you, for common sense upon the subject; in this, I am so clear, that my motion shall be an appeal to the nine judges of Ireland, and, if you please, to the twelve judges of England also upon the point. I have appealed to all the great lawyers in the house, and every one of them has confessed, that a repeal of a declaratory law is not a renunciation of the legal principle. Two only, have attempted this evasion; they say that, in this case, there was no color nor principle of law at the bottom of that act, and that therefore when the act is removed nothing can remain; now this is very well on one side of the water, but it is totally false on the other; here we say there was no color nor principle of law at the bottom of that act, but in England they assert the very contrary. In England therefore, they will have a right to say, that after the repeal the principle will remain. What we may say here will not avail to our security, unless England can be got to concur with us. If England, indeed, will renounce the principle, as we do, the repeal may be sufficient, that is to say, a repeal with a renunciation by England will be sufficient; but a repeal

without such a renunciation will not be sufficient; it is but three days ago, that the honorable gentleman thought a repeal inadequate, and therefore declared an intention to bring in a declaratory Irish law, in order to have the great seals of both kingdoms affixed to the recognition of our constitution. What has happened since, to render such an intention less necessary? Nothing has been mentioned to diminish the necessity, but some men are fond to argue that our address has bound us to a simple repeal.

Now first I say, that if such an error had have been committed in the address, it would be hard that the constitution of a great nation should be irrevocably tied to the diction of any individual; but I utterly deny the fact: I desire the words of the address to be pointed out that mention a simple repeal of that act as adequate to our views; and as no such words can be pointed out, I will mention words in it that prove the contrary. The grievance, as to this point, stated by the address as necessary to be redressed, is not that act alone, but that act and the claims of it. Now the repeal may take away the act, but nothing, except a renunciation, can take away the claims. The claim is the claim of right, or the legal principle either real or assumed. The simple repeal takes away the declaration only, but leaves behind the claim, or legal pretension. I say, therefore, that the address is full to the purpose, and that we must misconstrue that address before we can perfect our constitution: clear, however, as these things are, I will not affirm that a majority will instantly accede to them; but this I know, that majorities can

sometimes err, and that majorities can sometimes change their opinion.

What was the first feature of this session of parliament? a triumphant majority in support of Lord Carlisle against any redress of our injuries in Portugal. What followed? The honorable member proposed an alteration of the perpetual mutiny bill; a rank majority opposed him. I attempted it in another form; a rank majority opposed any reformation of it; it was faction in one, it was disappointed ambition in another; in both it was any thing but truth and the constitution. What was the cry of the parasites of the castle? The sugar bill and the mutiny law were such acquisitions to this country, they said, that Ireland had nothing to redress, and nothing but industry in her people, and gratitude in her parliament could now become her. Was not this gabble held, and was it not even popular for a while? I brought forward, notwithstanding, a vindication of your privileges against the manifold perversions of the law of Poyning; and what did I ask of you? not implicitly to adopt the words and sentiments of any individual, but to appoint a committee of yourselves to examine the authorities I had produced in your behalf, that, if I had erred in fact, or in inference, you might not be misled; and that if I had, you might benefit by the proofs, and perpetuate the decaying evidences of your constitution; yet even such a committee was denied, not to one, but to the parliament and to the nation. The honorable member then brought forward, in the form of an address, an assertion of your exclusive legislature; a huge majority opposed the reception of it. I brought it on again, by a resolution, then simple, that

you, yourselves were the only representatives of the people; a large majority refused to affirm it: these reiterated defeats struck like thunder upon the hearts of the people, and in these decided and stupendous majorities they thought they saw the death of the constitution. A voice from America shouted to liberty! the echo of it caught your people as it passed along the Atlantic, and they renewed the voice till it reverberated here.

What followed? all the propositions that had been separately reprobated, were now collectively adopted; the representatives of the people articulated, at length, the sense of their constituents. The case of Ireland, originally stated by the great Molyneux, and burned at the revolution by the parliament of England, is not now afraid of the fire; it has risen from that phoenix urn, and with the flames of its cradle it illuminates our isle! What is the result? It is now in your power, and I trust it will be in your wisdom to do final justice to the rights and interests of your country; for me, I hope, I have not been peculiarly wanting to them.

At an early period of my life, on a question of embargo, in consequence of a proclamation, founded on a British act of parliament, I brought the criminal gazette within these walls, and at your bar I arraigned the delinquent. The house was alarmed, and I withdrew any question on the proclamations being withdrawn. If you ask why I did not pursue it to a formal declaration of right? I answer, for I wish to be answerable to you for every part of my life; I answer, that the time was not ripe for it. The first spring of the constitution is the elective power of the people; till



that was reinforced by limiting the duration of parliaments, little could be done. The people wanted constitutional privilege; till the fabric of usurpation, founded on the law of Poyning had been shaken to its foundation, little could be done; the parliament wanted conscious dignity, till the people were armed; every thing could not be done; the nation wanted military power. Those were necessary antecedents: the public mind wanted much cultivation; the seed, too, was necessary to be sown; and if I have not been wanting to the preparation of the soil, may I not be permitted to watch over the harvest? To that harvest, too, as well as to every other, a prosperous season was necessary, and that season presented itself in the American war. When, therefore, the honorable member, in the sunshine of that season, and of his own abilities, brought forward a declaration of rights in lord Buckingham's government, after that administration had amended his proposition for the purpose of defeating it, I stepped forward, in office as I was, and at the hazard of that office, and rescued the principle from the disgrace of a postponement, or from the ruin of rejection. In this session, too, I hope that my humble efforts have not been peculiarly wanting. In ability I will yield to many, in zeal to none; and, if I have not served the public cause more than many men, this at least, I may say, I have sacrificed as much to it. Do you repent of that sacrifice? If I am asked, I answer no! Who could repent of a sacrifice to truth and honor? to a country that he loves, and a country that is grateful? Do you repent of it? No. But I should not rejoice in it, if it were only to be attended with a private deprivation, and not



to be accompanied by all its gains to my country. I have a peculiar right, therefore, to be ardent and solicitous about the issue of it, and no man shall stop me in my progress.

Were the voice with which I utter this, the last effort of an expiring nature—were the accent that conveys it to you the breath that was to waft me to that grave, to which we all tend, and to which my footsteps rapidly accelerate, I would go on; I would make my exit by a loud demand of your rights, and I call upon the God of truth and liberty who has often favoured you, and who has, of late, looked down upon you with such a peculiar grace and glory of protection, to continue to you his inspirings; to crown you with the spirit of his completion, and to assist you against the errors of those that are honest, as well as against the machinations of all that are not so.

Mr. Flood's motion was, that the opinion of all the judges be desired on the following question: "Does the repeal of a declaratory act amount, in legal construction, to a repeal or renunciation of the legal principle on which the declaratory act grounded itself?"

## MR. GRATTAN.

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### THE CELEBRATED ATTACK UPON MR. FLOOD.

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THE resolution of the 19th of July, 1782, was artfully and totally misrepresented. It was said that it would have prevented the agitation of the question, whether the claim of England was relinquished. The answer is the resolution itself. I had shown it to some gentlemen before I read it, and as it had been misunderstood by some, I thought it better, at that late hour, not to debate it, but to produce a resolution tantamount; and as the motion had been misconceived, I gave copies of it; and as it had been misrepresented in the public papers, I sent copies of it to all of them, and I must observe, that the very gentlemen who had objected to it when they heard it indistinctly, after they read it, acknowledged the motion to be excellent. I will read it: "That this legislature is independent, and that any man who shall, by writing or otherwise, maintain that a right in any other country to make laws for Ireland, internally or externally exists, or can be revived, is inimical to the peace of both kingdoms." Is this a truth, or is it not? Has any man a privilege to maintain that Great Britain has a right, had a right, or can revive a right to make law for Ireland? Is there any man who will say, that a person maintaining the doctrine is not criminal in the highest degree? Suppose any member should maintain, that Great Britain

has, or can have, a right to make laws for Ireland, would you not bring him to the bar? And suppose any man should publish such a doctrine, would you not order the publication to be burned by the hangman?

The resolution was a declaration of right, and more, for it made it criminal to deny your rights. In representing the resolution, they changed the terms of it, as they perverted its meaning. They made the resolutions say, that every man who agitated the question, whether the British Parliament had relinquished her claims, was criminal: whereas, the resolution said, that any man who maintained a right in the British Parliament over Ireland, was criminal. Now it may be very criminal to assert, that the parliament of England has a right over Ireland, and yet very fair to examine whether she has relinquished her pretensions. In short, you had before declared in your address, the rights of your country, and the resolution was declarative that it was criminal to deny them. No man has a right to deny the liberty of his country. Here the privilege of the press stops, and the rights of the individual also; both have a right to maintain the liberty of their country, as they have an obligation to defend it; but neither have a right to deny or betray her liberty. Such a right would be, in fact, no right, but the licence of self destruction: neither the press nor the individual have a right to question the principles of the laws of nature or of the laws of the land. No man has a privilege to maintain the rights of murder or of tyranny. What! maintain that you are not free because you have no privilege to assert a right in England to take away your liberty! What is the law

that excludes the supremacy of the Pope? Does it not make the maintaining that right penal? Does that law take away your liberty? What is the law with respect to the house of Stewart? Does not that law make the assisting the rights of that family penal? Does that law take away your liberty? Does the honorable member think it reasonable to be withheld from asserting the rights of the Pope, and the pretender, provided we have a privilege of denying our own? What is the jurisdiction act? It declares that the rights claimed by Ireland shall not be questioned; it is my resolution. The resolution says, you shall not maintain a right in England to make laws for you. The act says you shall not question the rights of Ireland. Both impose silence on those men who would deny the liberties of Ireland. How comes it that the act has not alarmed you? The fact is that the resolution was studiously misrepresented, and the privilege of the press employed to delude the understanding of the public.

It was said "that the pen would fall from the hand, and the foetus of the mind would die unborn" if men had not a privilege to maintain a right in the parliament of England to make law for Ireland. The affectation of zeal, and a burst of forced and metaphorical conceits, aided by the acts of the press, gave an alarm which I hope was momentary, and which only exposed the artifice of those who were wicked, and the haste of those who were deceived.

But it is not the slander of an evil tongue that can defame me. I maintain my reputation in public, and in private life. No man who is not a bad character, can



ever say that I deceived; no country can call me cheat; but I will suppose such a public character. I will suppose such a man to have existence; I will begin with his character in his political cradle, and I will follow him to the last state of political dissolution.

I will suppose him, in the first stage of his life, to have been intemperate; in the second to have been corrupt; and in the last seditious; that after an envenomed attack on the persons and measures of a succession of viceroys, and after much declamation against their illegalities and their profusion, that he took office and became a supporter of government when the profusion of ministers had greatly increased, and their crimes multiplied beyond example: when your money bills were altered, without reserve, by the council, when an embargo was laid on your export trade, and a war declared against the liberties of America; at such a critical moment I will suppose this gentleman to be corrupted by a great sinecure office to muzzle his declamation, to swallow his invective, to give his assent and vote to the ministers, and to become a supporter of government, its measures, its embargo, and its American war. I will suppose that he was suspected by the government that had bought him, and in consequence thereof, that he thought proper to resort to the acts of a trimmer, the last sad refuge of disappointed ambition, that, with respect to the constitution of his country, that part, for instance, which regarded the mutiny bill, when a clause of reference was introduced, whereby the articles of war which were, or hereafter might be, passed in England, should be current in Ireland, without the interference of her parlia-



ment; when such a clause was in view, I will suppose this gentleman to have absconded; again when the bill was made perpetual, I will suppose him again to have absconded; but a year and a half after the bill had passed, then I will suppose this gentleman to have come forward, and to say that your constitution had been destroyed by the perpetual bill. With regard to that part of the constitution which relates to the law of Poyning's, I will suppose the gentleman to have made many a long, very long, disquisition before he took office, but after he received office, to have been as silent on that subject as before he had been loquacious.

That when money bills, under color of that law, were altered year after year, as in 1775 and 1776, and when the bills so altered were resumed and passed, I will suppose that gentleman to have absconded or acquiesced, and to have supported the minister who made the alteration; but when he was dismissed from office, and a member introduced a bill to remedy this evil, I will suppose that this gentleman inveighed against the mischief, against the remedy, and against the person of the introducer, who did that duty which he himself for seven years had abandoned. With respect to that part of the constitution which is connected with the repeal of the sixth George the first, when the adequacy of the repeal was debating in the house, I will suppose this gentleman to make no kind of objection: that he never named at that time the word "renunciation," and that, on the division on that subject, he absconded; but, when the office he had lost was given to another man, that then he came forward, and exclaimed against

the measure; nay, he went into the public streets to canvass for sedition, that he became a rambling incendiary, and endeavored to excite a mutiny in the volunteers against an adjustment between Great Britain and Ireland, of liberty and repose, which he had not the virtue to make, and against an administration, who had the virtue to free the country without buying the members.

With respect to commerce, I will suppose this gentleman to have supported an embargo which lay on the country for three years, and almost destroyed it; and when an address in 1778 to open her trade was propounded, to remain silent and inactive; and with respect to that other part of her trade, which regarded the duty on sugar, when the merchants were examined in 1778, on the inadequate protecting duty, when the inadequate duty was voted, when the act was recommitted, when another duty was proposed, when the bill returned with the inadequate duty substituted, when the altered bill was adopted; on every one of these questions, I will suppose the gentleman to abscond; but a year and a half after the mischief was done, he out of office, I will suppose him to come forth and to tell his country, that her trade had been destroyed by an inadequate duty on English sugar, as her constitution had been ruined by a perpetual mutiny bill. With relation to three-fourths of our fellow-subjects, the Roman Catholics, when a bill was introduced to grant them rights of property and religion, I will suppose this gentleman to have come forth to give his negative to their pretensions; in the same manner I will suppose him to have opposed the institution of

the volunteers, to which we owe so much, and that he went to a meeting in his own county to prevent their establishment; that he himself kept out of their associations; that he was almost the only man in this house who was not in uniform, and that he never was a volunteer until he ceased to be a placeman, and until he became an incendiary.

With regard to the liberties of America which were inseparable from ours, I will suppose this gentleman to have been an enemy decided and unreserved; that he voted against her liberty, and voted, moreover, for an address to send four thousand Irish troops to cut the throats of the Americans: that he called these butchers, "armed negotiators," and stood with a metaphor in his mouth, and a bribe in his pocket, a champion against the rights of America, the only hope of Ireland, and the only refuge of the liberties of mankind.

Thus defective in every relationship, whether to constitution, commerce and toleration, I will suppose this man to have added much private improbity to his public crimes; that his probity was like his patriotism, and his honor on a level with his oath; he loves to deliver panegyrics on himself. I will interrupt him and say, sir, you are much mistaken, if you think, that your talents have been as great as your life has been reprehensible; you began your parliamentary career with an acrimony and personality which could have been justified only by a supposition of virtue: after a rank and clamorous opposition, you became on a sudden *silent*; you were silent for seven years; you were silent on the greatest questions, and you were silent for money.

In 1773 while a negociation was pending to sell your talents and your turbulence, you absconded from your duty in parliament, you forsook your law of Poyning's, you forsook the questions of economy, and abandoned all the old themes of your former declamation; you were not at that period to be found in the house: you were seen, like a guilty spirit, haunting the lobby of the house of commons, watching the moment in which the question should be put, that you might vanish; you were descried with a criminal anxiety, retiring from the scenes of your past glory; or you were perceived coasting the upper benches of this house, like a bird of prey, with an evil aspect and a sepulchral note, meditating to pounce on its quarry—these ways (they were not the ways of honor) you practised pending a negotiation which was to end either in your sale or your sedition: the former taking place, you supported the rankest measures that ever came before parliament; the embargo of 1776 for example. “O fatal embargo, that breach of law and ruin of commerce!”

You supported the unparalleled profusion and jobbing of lord Harcourt's scandalous ministry—the address to support the American war—the other address to send four thousand men, which you had yourself declared to be necessary for the defence of Ireland, to fight against the liberties of America, to which you had declared yourself a friend. You, sir, who delight to utter execrations against the American commissioners of 1778, on account of their hostility to America; you, sir, who manufacture stage thunder against Mr. Eden for his anti-American principles;—you, sir,



whom it pleases to chaunt a hymn to the immortal Hampden;—you, sir, approved of the tyranny exercised against America;—and you, sir, voted four thousand Irish troops to cut the throats of the Americans fighting for their freedom, fighting for your freedom, fighting for the great principle—*liberty*; but you found at last (and this should be an eternal lesson to men of your craft and cunning) that the king had only dishonored you; the court had bought, but could not trust you; and having voted for the worst measures, you remained, for seven years, the creature of *salary*, without the confidence of government. Mortified at the discovery, and stung by disappointment, you betake yourself to the sad expedients of duplicity; you try the sorry game of a trimmer in your progress to the acts of an incendiary; you give no honest support either to the government or to the people: you, at the most critical period of their existence, take no part, you sign no non-consumption agreement, you are no volunteer, you oppose no perpetual mutiny bill, no altered sugar bill; you declare that you lament that the declaration of right should have been brought forward; and observing, with regard to prince and people, the same impartial treachery and desertion, you justify the suspicion of your sovereign, by betraying the government as you had sold the people; until at last by this hollow conduct, and for some other steps, the result of mortified ambition, being dismissed, and another person put in your place, you fly to the ranks of the volunteers and canvass for mutiny; you announce that the country was ruined by other men, during that period in which she had been sold by you. Your logic



is that the repeal of a declaratory law is not the repeal of a law at all, and the effect of that logic is, an English act, affecting to emancipate Ireland, by exercising over her the legislative authority of the British Parliament.

Such has been your conduct, and at such conduct every order of your fellow subjects have a right to exclaim. The merchant may say to you—the constitutionalist may say to you—the American may say to you—and I, I now say, and say, to your beard, sir—you are not an honest man.

## MR. FLOOD

ENTERS INTO A STATEMENT OF HIS CONDUCT, IN REPLY TO  
MR. GRATTAN'S ANSWER TO HIS SPEECH, ON THE 28TH DAY  
OF OCTOBER, 1783.

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NOVEMBER 1, 1783.

SIR :

I WISH to take the earliest opportunity of speaking a few words to you, and addressing a few to the house, upon the situation in which I left this house last Tuesday. You heard, sir, and the public heard me, the subject, as I think, of an unwarranted attack. I rose to defend myself. I am sure, with temper. I am not lightly moved; and I think I should be lightly moved, indeed, if I could have been moved by that. I was however interrupted, though I did not bring any fictitious subject before you, or set out without the least appearance of any argument; in consequence of this interruption, sir, I left the house; but soon after, I understand, that the house thought proper to say, they would give me liberty to proceed, and I wish to take the earliest opportunity of returning them my thanks for that permission; at the same time, sir, that I return my thanks for that permission, I hope that they will suffer me to render it not an empty indulgence, but upon the present occasion, to take up the subject where I left it the last night.

(Mr. Foler rose to order, but Mr. Flood proceeded.)

I hope gentlemen will not interrupt me: when they find me going out of order, when they hear me drawing fictitious characters, let them stop me; when I say anything unparliamentary—when I endeavor to recall the asperity of that day, which, whilst I despise, I must disapprove, I rise in defence of what I consider an injured character, as I have endeavored to defend the rights of my country for twenty-four years, I hope they will permit me to defend my reputation.

My life has been divided into three parts, and it has been despatched by three epithets; one part, sir, that which preceded lord Harcourt's administration; another between lord Harcourt's and lord Carlisle's; and the third, which is subsequent. The first has a summary justice or injustice, done to it, by being said to be intemperate; the second is treated in like manner, by being said to be venal; and the conduct of the third is said to have been that of an incendiary.

The attack made upon my person went back, not only to the arguments of two or three days before, but to the conduct of twenty years antecedent; therefore, sir, I hope, that if animadversions of twenty years are allowed to one, I may have an opportunity of referring to arguments used three days ago. With regard to that period of my life which is despatched by the word "intemperate," I beg, gentlemen would consider the hard situation of public characters, if that is to be their treatment; that period takes in a number of years, not less than sixteen, in which there were five administrations, and in which the public were pleased to give me their sentence of approbation. Sir, it includes, for I wish to speak to facts, not to take it up

upon epithet,—it includes the Duke of Bedford's, Lord Halifax's, the duke of Northumberland's, Lord Hertford's, and Lord Townsend's.

Now, sir, as to the fact of intemperance, I will state to you how that stands, and let the gentleman see how a plain tale shall put him down. Of these five administrations, there were three to which I was so far from giving an intemperate opposition, that I could not be said, in any sense of the word, to oppose them at all; I mean the three first. I certainly voted against the secretary of the day, but oftener voted with him. In lord Hertford's administration I had attained to a certain view and decided opinion of what was fit, in my mind, to be done for this country. I had fixed upon three great objects of public utility. I endeavored to attain them with that spirit and energy with which it is my nature and character to speak and to act; as I must take the disadvantages of my nature, I will take the advantages of it too. These three great objects were resisted by that administration; what was the consequence? a conflict arose between that administration and me; but that conflict ought not to be called opposition on my part; no, it ought rather to be called opposition on theirs; I was the propounder, and they resisted my propositions. This may be called a conflict, not an opposition to that administration. What were those three objects? One was to prove that the constitution of parliament in this kingdom did still exist; that it had not been taken away by the law of Poyning's; but that it was an infamous perversion of that statute by which the constitution had suffered. The other was the establishment of a constitutional

military force in superaddition to that of a standing army.

The only idea that ever occurred to England, or any free country of Europe, I adopted, namely, that of a constitutional militia. At that time the idea of a volunteer force had not arisen, therefore, I adopted the idea which at that time appeared to be best. The third great object I took up as necessary to this country, was a law for limiting the duration of parliaments: these were three great, salutary and noble objects, worthy of the enlarged mind of an enlarged country. I pursued them with ardor, I do not deny it; but I did not pursue them with intemperance; I am sure that I did not appear to the public to do so; they gave my exertions many flattering testimonies of their approbation.

There is another proof that I was not intemperate; I was successful; intemperance and miscarriage are apt to go together, but temperance and success are associated by nature. This is my plain history with regard to that period. The clumsiness, or virulence of invective may require to be sheathed in a brilliancy of diction, but plain truth and plain sense are best delivered in plain terms.

I now come to that period in which Lord Harcourt governed, and which is stigmatized by the word venal. I say, Lord Harcourt's, for, in my consideration of his administration, I will include that of lord Townsend. If every man who accepts office is venal, and an apostate, I certainly cannot acquit myself of the charge, nor is it necessary, I should have so many associates in the crime, if ever there was a crime in what multi-



tudes would defend. I am sensible, multitudes and majorities would not be wanting to defend that. But, I say either it is a crime or it is not; if it be a crime universally, let it be universally ascribed. But, sir, I say it is not fair that one set of men should be treated by that honorable member, as great friends and lovers of their country, notwithstanding they are in office; and another man, because he was in office, should be treated as an enemy and an apostate. But what is the truth? Every thing of this sort depends upon the principles on which office is taken, and on which it is retained: with regard to me, let no man imagine I am preaching up a doctrine for my own convenience; there is not a man less concerned in the propagation of it. I have no treaty with the right honorable gentleman on the floor, nor shall I have any.

Now, sir, I shall beg leave shortly to state the manner in which I accepted that office, which I give you my word, I never will resume. It was offered to me in the most honorable manner, with an assurance of not only being a placeman for my own profit, but a minister for the benefit of my country. My answer was, that I thought, in a constitution such as ours, an intercourse between the prince and the subject ought to be honorable, that being a minister ought to redound to a man's credit: but I lamented that it often happened otherwise; men in office often gave up those principles which they maintained before. I told them, therefore, that my objections were not to the going into office, but to following the examples which I had sometimes seen before me. I mentioned the public principles I held. I said, if consistently with those principles,

from an atom of which I would not depart, I could be of service to his majesty's government, I was ready to be so. I speak in the presence of men who know what I say. After the office had come over and landed in this kingdom, I sent in writing to the chief governor that I would not accept it unless upon that principle.

Thus, sir, I took office; the administration before I opposed only in part of it; in the first session of lord Townsend I did not oppose; I never opposed lord Townsend till after his prorogation and protest: this appeared to me an infamous violation of the privileges of parliament. With regard to money bills, and after that protest by which he endeavored to make the journals of the houses of lords, instead of being the record of their privileges, the monument of their disgrace, I opposed him: now what did I oppose in that administration? The violation of the privilege of this house, with regard to money bills, and the wanton augmentation of offices, by the division of the board of commissioners into two parts.

In lord Harcourt's administration what did I do? I had the two boards of commissioners reduced again into one. I do not say my single voice effected this, but, as far as it had any efficacy, it insisted on having the twelve commissioners again reduced to seven, and the two boards to one—a saving, including the whole arrangement, of twenty thousand pounds a year to the nation; it went further; it insisted to have every altered money bill thrown out, and privy council money bills not defended by the crown. Thus instead of giving sanction to the measures I had opposed, my conduct

was, in fact, to register my principles in the records of the court, to make the privy council a witness to the privileges of parliament, and to give final energy to the tenets with which I commenced my life.

Economy did not stop with the reduction of the commissioners' boards. The right honorable gentleman who has censured me, in order to depreciate that economy, said that "we had swept with the feather of economy, the pens and paper off your table;" a pointed and brilliant expression is far from being a firm argument. This country has no reason to be ashamed of this species of economy when the great nation of Great Britain has been obliged to descend to an economy as minute. Neither sir, was this all; it is not my fault if infinitely more was not done for this country on that occasion: they were offered a saving; they did not choose to take it; they were offered the absentee tax, and they refused it. I am not to blame for that, it was part of the saving proposed. If administration were wrong on that occasion, they were wrong with the prejudices of half a century; they were wrong with every great writer that had ever written upon the subject of Ireland; they were wrong, with some of the plainest principles, as it seems of human nature, in their favor. I will suppose the determination not to accept it to have been right, still it was meritorious in administration to offer it; and to show that I was not under any undue influence of office, I appeal to the memory of many men present, when the disposition of the house was made to alter upon that subject; and when administration yielded, not unwillingly, to the violence of parliament. I appeal to the conscious and

public knowledge of many, whether I did veer and turn about with the secretary, or whether I did not make a manly stand in favor of that principle after having pledged myself to the public? I would rather break with a million of administrations than retract.

I not only adhered to it, but by a singular instance of exertion I forced it a second time under the consideration of this house. That this benefit was lost to this country, if it be a benefit, was not my fault. One thing I must go back to; I had repeatedly pressed the bill for limiting the duration of parliaments. In lord Townsend's time I brought it in finally, and crowned it with success; thus I restored, to the universal community of Ireland, a right of which they had been robbed for nearly a century, namely, their first and fundamental franchise as electors, without which this house is but as a shadow, and thus after having restored that root of all their other rights, in lord Townsend's administration, after having restored economy, and reduced twelve commissioners to seven in lord Harcourt's, I went on to the other great measures which I have mentioned, the militia law; and when a right honorable gentleman (Mr. Ogle) moved that question, I engaged all the interest I could with government in behalf of it. I rose up to second his motion, and declared that I would support him and his militia bill to the last; accordingly, I gave him the assistance of my poor labours, and it was carried. Thus, therefore, sir, I say that in that administration in which I accepted office, instead of relinquishing my principles, I preserved them; instead of getting a minority to vote for them, I brought the majority to give them an



efficient sanction; by entering into office upon that occasion, and acting as I did, I acted the part of an honest minister between the prince and the people; in doing so, I think, I was more a patriot than if, out of office, I had made empty declamations on empty subjects without any advantage to the public. Most of those who hear me can recollect the state of this kingdom at the close of lord Townsend's administration; I appeal to them all, and I ask what was then my repute in the nation; I will not say it was the first, or the second, or the third: but did it not stand in an honorable rank, and among the foremost rather than among the last? In lord Harcourt's government the vice treasurership was offered to me, accompanied with every declaration that could render it acceptable to an honorable mind. When that office was offered to me, was my situation that of a reprobated man? I take the facts of both countries to disprove this calumny. Is it since that I have become a mark of obloquy? I flatter myself not. Lord Buckingham's administration succeeded. With regard to lord Harcourt's administration, the objection is I did too much; the charge with regard to the other is I did too little for it; these two accusations run a little in contrary direction, and like a double poison, each may cure the operation of the other: but the fact is this, I acted not upon visions and imaginations, but on sound common sense, the best gift of God to man; which then told one, and still whispers, that some administrations deserve a more active support than others; that some administrations deserve a more active opposition than others, and that some deserve little of either. I adapted my conduct to



those three conditions. I did not run headlong against government at one time, and with government at another; but adapted my conduct, as I ought to do, to what I saw and what I felt. Did I support lord Harcourt? Why? Because he gave me an influence in his councils.

It is nonsense to say a man is not to support his own councils; but the next administration took another direction, and they did not give me any influence on their councils.

What was the consequence? I did not give them support. Was there any thing more fair? I felt myself a man of too much situation to be a mere placeman. If not a minister to serve my country, I would not be the tool of salary. What was the consequence? I voted with them in matters of importance when they were clearly right; I voted against them in matters of importance, when they were clearly wrong; and in matters of small moment I did not vote at all; and why? I scorned, by voting for them in such matters to seem to pay court: to vote against them in such matters would have been absurd. What remained? Not to vote at all. If you call that absconding, going behind the chair, or escaping into the corridor, call it what you please, I say it was right. This is my plain way of dealing, it is common sense. I told lord Buckinghamshire I would not attend the cabinet councils of the sage Mr. Heron. Was that duplicity? I think not. I did more; I sent my resignation to England, to the same friend through whom the first communication was made to me on the subject of office; but from ideas of

friendship for me, he took time to consider, and at length declined to deliver my resignation.

I have said something to the middle period. I shall come to the third, viz: lord Carlisle's administration, in which my conduct has been slandered as the conduct of an incendiary; when that idea took place in some minds, I cannot tell, but this I am sure of, that the right honorable gentleman who censured me, was called an incendiary at that time, and so perhaps might I have been; but I am sure the right honorable gentleman did not, at that time, think me an incendiary any more than himself; there was not a single instance in which he did not co-operate. If I be an incendiary, I shall gladly accept, therefore, of the society of that right honorable gentleman, under the same appellation: but he laughed at the folly of the accusation, at that time, and so do I now. If I were an incendiary it was for moving, what the parliaments of both kingdoms have since given their sanction to; if that is to be an incendiary, God grant I may continue so.

In this administration it was that I was dismissed from office; now, sir, I do not know that, in general, my dismissal from office was thought any disgrace to me: I do not think this house or the nation thought me dishonored by that dismissal. The first day I declared those sentiments for which I was dismissed—I *remember it well*—I thought it for my *honor*; some very honorable and worthy gentlemen, since dead, and some still alive, one of them whom I shall ever love and ever lament;\* one of them, dead since to every

\* The right honorable Walter Hursey Burgh.

thing but his own honor, and the grateful memory of his country; one of them who thought me so little of the character of an incendiary, that he crossed the house, together with others, to congratulate me on the honor of my conduct and to embrace me in open parliament. At that moment, I think, I stood clear of the character of an incendiary. The character of an incendiary seems, therefore, to have been superinduced upon me of a sudden; it has sprouted out and germinated from that root of much evil, the simple repeal: since that moment only, it seems that I have been going down in the opinion of the people; since that moment, they have found out my character and conduct to deserve all reprobation; and to deserve the brand of being an incendiary; and yet I can hardly prevail on myself to think this is the case; because, since that moment, I have received more honorable testimonies from every corner of the kingdom, than that right honorable member has received during the same period.

I shall return once more to the sentiments of that beloved character whom I have just described: he was a man over whose life, or over whose grave envy never hovers; he was a man, wishing ardently to serve his country himself, but not wishing to monopolize the service, wishing to partake and to communicate the glory of what passed; he gave me, in his motion for a free trade, a full participation of the honor. Upon another occasion he said,—*I remember the words; they are traced with the pencil of gratitude on my heart*—he said, “that I was a man whom the most lucrative office in the land had never warped in point of integrity.” The words were marked; I am sure I repeat them

fairly; they are words I should be proud to have inscribed upon my tomb. Consider the man from whom they came; consider the magnitude of the subject upon which they were spoken; consider the situation of the persons concerned, and it adds to, and multiplies the honor.

My noble friend, I beg pardon, he did not live to be ennobled by patent, but he was born ennobled by nature: his situation at that moment was this: he had found himself obliged to surrender office, and enter into active opposition to that government from whom he had received it. I remained in office, though under the circumstance of having sent my resignation; that he did not know: in political position, therefore, we were contradistinguished to each other; he did not know while he was doing justice to me, but that he might be doing political detriment to himself; he did not know but he might serve the administration he opposed; but careless of any thing except justice and honor, he gave the sentiments of his heart, and he approved. I have mentioned, sir, that short period, during which the character of an incendiary, if at all applicable to me, must have come upon me in the night and have taken me unawares.

I cannot think the opinion of the public so transformed, when I see every corner of the country expressing their approbation of my conduct; one after another, great and respectable societies of men, compared with whose sentiments, the obloquy of an individual sinks into nothing. Even this very day, I have received from the united delegates of the province of Connaught, an approbation, with one voice, as they term it, of that



conduct which has been slandered as that of an incendiary. Here is a congregation of men, not one of whom I have ever seen; to none of whom I have ever a chance of doing a service; who could have nothing in contemplation but the doing an act of justice. Sir, I may say, I had the same sanction from another province, that of Ulster. But it seems I went to Belfast in the character of an incendiary: I went to Dungannon in the character of an incendiary. Now, I went to neither of these places but by an invitation; and if a person invited be an incendiary, what must be those that give the invitation? If I be an incendiary all Ulster is an incendiary; if I be an incendiary all Connaught is an incendiary; with two provinces therefore, at my back, and with the parliament of England behind me, in then having coincided honorably and nobly in that sentiment, which I sustained, I think I am not much afraid of any single and solitary accusation. But I have not only the parliaments of both kingdoms—I have the judicial power in my favor. If my doctrine was not right, Lord Mansfield's conduct was not right. I ask you, was he wrong? It has been said that he was the enemy of both countries on that occasion. But has the accusation been proved? Lord Mansfield has many political enemies. The administration at that time would have been glad to have proved him an enemy to both countries; yet was there a man in the parliament of England, the greatest enemy to that noble judge, who attempted to find fault with his conduct. After having mentioned the judicial power, let me come to a highly respectable body, the corps of lawyers in this country, who, after six months' medi-



tation by a committee chosen by ballot, gave their sanction to that opinion, which is the opinion of an incendiary, if I deserve that name. If lord Mansfield be an incendiary, if the parliament of England be an incendiary, if the corps of lawyers are incendiaries, if the Ulster delegates are incendiaries, and all the societies who have joined that opinion throughout the kingdom; if all of these be incendiaries, in the name of God let me be added to the number, and let me be an incendiary too; but though I may be such an incendiary, I never will be that which would deserve the name; I will never, by any hollow composition, lay the seeds of future dissension; I will go clearly and fully to the work: I will be satisfied when satisfaction is given: my nature is as prone to satisfaction, and as distant from chagrin as that of any man. I appeal to those who know me from my childhood; first, at a public school, then at the university of this kingdom, then at the university of Oxford, and afterwards, during twenty-four years, taking no very private part within the walls of this house. I have spoken to facts. I do not mean to arraign; any man may be mistaken, and I wish to suppose any man to be really mistaken, rather than to be so intentionally. I would rather reconcile all men to the public, than make unnecessary divisions. But though I would do every thing a man can do to prevent dissension, I cannot be expected to sacrifice my character to unlimited obloquy.

Sir, one circumstance I must mention, as it is somewhat extraordinary. It has been said by some authority on that side of the question, that I am the outcast of government and of my prince; certainly, sir,

my dismissal from office was attended with the extraordinary circumstance of my dismissal from council; therefore, I suppose, it is that the right honorable gentleman has called me the outcast of government and of my prince. It certainly, sir, was an extraordinary transaction; but it was done in the case of Mr. Pulteney, it was done in the case of the duke of Devonshire; therefore, I suppose, it will not be a decided proof of any reprobated or factious character in the person to whom it happened. It is the first time it has been mentioned to my disadvantage. It was in the house of lords of England, mentioned to the disadvantage of the minister who was supposed to have done it by a most respectable character; it was thought not to my dishonor here; it was thought not to my dishonor in the house of lords of Ireland, where I have lately received from a very eminent peer, the sanction of sentiments very different from these. In a word it is but the sentence of one tongue, and upon that tongue I leave it. I do not, however, pretend to dispute a ministerial fact, which a gentleman in confidence alleges. He has been in the confidence of the duke of Portland; he is as much a minister as any man who is not in office.

Thus much I must give to this ministerial assertion, that I shall find it impossible for me, under such an interdict, to pay my respects at his majesty's castle of Dublin, which otherwise I should be prompt to discharge; and I mention it thus publicly, that my absence may not be interpreted into any want of the most perfect duty and loyalty to my prince, or of the greatest respect to the nobleman who presides there. I am not

a man formed to court proscription; I will not seek disgrace; let it remain in its den; I will not invoke it. Sir, I have trespassed too long, and I am oppressed with the weight and multitude of thanks which I owe you and the house; I have troubled you too long upon a private subject, but with your permission, I will endeavor to make amends on the next day, by bringing before you a subject of more importance,—the economy of the nation. I beg pardon for what I have said; I have promised too much; I am in your judgment whether I shall do it. You have heard what has passed upon my subject; I appeal to you if I am that character which has been drawn; if I be that character in any degree, I do not deprecate your justice; but I call for it, and exhort you, for yourselves and your country, to get rid of a member who would be unworthy to sit amongst you.

## MR. GRATTAN.

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### THE APOSTLES.

FROM THE SPEECH ON TITHES, FEBRUARY 14, 1788.

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HAD the apostles advanced, among the Jews, pretensions to the tenth of the produce of Judea, they would not have converted a less perverse generation; but they were humble and inspired men; they went forth in simple guise, with naked foot, and brought to every man's door, in his own tongue, the true faith; their word prevailed against the potentates of the earth, and o'er the ruins of Barbaric pride, and pontific luxury, they placed the naked majesty of the christian religion.

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## MR. GRATTAN.

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### THE ESTABLISHED CHURCH.

FROM THE SAME SPEECH.

I HAVE, in the foregoing part, endeavored to defend myself against an attack, published without the names of certain dignitaries of the church, but not without their authority. I shall now strive to answer another attack, published by their authority, and with their names annexed—the parochial clergy of Munster, at their annual visitations assembled.

A very respectable assembly; how employed? To assist the committee appointed by act of parliament to



enquire into the scandalous abuses which have sunk the charitable funds of royal and private donation? No, from the southern archbishop that committee has received no assistance. To establish parochial schools according to act of parliament, at their own expense? No, that work has been neglected. To establish diocesan schools as by law they are obliged? No! that too has been neglected or perverted. To enquire into the state of charter schools, and to follow Howard in his pious and singular activity? No: the parochial clergy of the province of Munster, at their visitation have been otherwise employed. They have read a speech concerning their tithes, and yet there were subjects more worthy of their interference! Their God has been denied by the arguments of the atheist; his Son has been denied by the arguments of the deists. English bishops, Presbyterian ministers, have come forth; the parochial clergy of Munster and their six bishops: have they signalized themselves in this holy war? Their learning, their industry, their zeal, on their natural subject I look for. I cannot find them. Their country as well as their God had been outraged; her trade crippled, her constitution destroyed, and her final judicature, of which the right reverend, the lords spiritual, compose an implicit part, usurped. What an opportunity here for their interposition, during a long period! Where are their spirited votes! Where are their deep researches! A layman, indeed, on that occasion came forth, and though he could not retake the citadel, he rescued the holy vestiges, the vestal fires of the constitution, and rescued them without aid from the dignified priests of the temple. A most successful



struggle, to recover trade and freedom was afterwards made; what an opportunity here! The Presbyterian ministers came forward in every shape; the Roman Catholic priest afforded us his literary assistance; the parochial clergy of Munster, our clergy, our bishops, not one syllable. On their part a sad, blank, profound, uninterrupted taciturnity! When their God, their redeemer and their country are in question, they are silent; but when a twelve-penny point of their tithe is brought forward, then they are vivacious; then the press storms with a clerical fury; then a loquacious synod is held in the capitol, in the seat of learning, under mitred auspices, training up the reverend youth of the country, in the office of anonymous publication, and inoculating their tender minds with the scribbling itch of meagre production; and then, the parochial clergy of Munster, deans, deacons, arch-deacons, prebendaries and precentors, with six bishops in holy order, and solemn march advance—for what? To commit a breach of privilege, to abuse an individual: “the provincial clergy having read a speech, entitled by the publishers, the speech of Mr. Grattan, and by him not disavowed.”

## MR. GRATAN.

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FROM THE SPEECH ON THE SALE OF PEERAGES, AND THE PURCHASE OF SEATS IN PARLIAMENT, FEB. 20, 1790.

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WE come here to arraign the ministers of the crown. I will read the charges which I make against them. We charge them publicly, in the face of their country, with making corrupt agreements for the sale of peerages; for doing which we say that they are impeachable. We charge them with corrupt agreements for the disposal of the money arising from the sale, to purchase for the servants of the castle, seats in the assembly of the people; for doing which we say they are impeachable; guilty of a systematic endeavor to undermine the constitution, in violation of the laws of the land.

We pledge ourselves to convict them: we dare them to go into an enquiry; we do not affect to treat them other than as public malefactors; we speak to them in a style of the most mortifying and humiliating defiance. We pronounce them to be public criminals! will they dare to deny the charge? I call upon, and dare the ostensible member to rise in his place, and say on his honor that he does not believe such corrupt agreements to have taken place. I wait for a specific answer.

## MR. GRATTAN.

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FROM THE SPEECH ON THE MOTION TO REJECT THE CATHOLIC  
PETITION, FEBRUARY 20, 1792.

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THE part of the subject which I shall now press upon you, is the final and eternal doom to which some gentlemen propose to condemn the Catholic. Some have said that they must never get the elective franchise. What! never be free! three millions of people, condemned by their fellow subjects to an everlasting slavery, in all change of time, decay of prejudice, increase of knowledge, the fall of papal power, and the establishment of philosophic and moral ascendancy in its place. Never be free! Do you mean to tell the Roman Catholic, it is in vain you take oaths and declarations of allegiance; it would be in vain even to renounce the spiritual power of the Pope, and become like any other dissenter? It will make no difference as to your emancipation. Go to France, go to America; carry your property, your industry and manufactures to a land of liberty: this is a sentence which requires the power of a God, and the malignity of a demon: you are not competent to pronounce it: believe me, you may as well plant your foot upon the earth, and hope by that resistance, to stop the diurnal revolution, which advances you to that morning sun, which is to shine alike on the Protestant and the Catholic, as you can hope to arrest the progress of that

other light, reason and justice, which approach to liberate the Catholic, and to liberalize the Protestant. Even now the question is on its way, and making its destined and irresistible progress, which you, with all your authority, will have no power to resist; no more than any other great truth, or any great ordinance of nature, or any law of motion which mankind is free to contemplate, but cannot resist. There is a justice linked to their cause and a truth that sets off their application.

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### MR. GRATTAN.

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#### CHARACTER OF FOX.

FROM THE SPEECH OF MAY 3, 1797.

THE learned doctor (Dueguenan) inveighs against such a character. Should you wish to measure the abilities of such a statesman, measure them by the gigantic proportions of the calamities he would have prevented; by the American empire which his advice would have preserved; by the £250,000,000 of debt, the consequence of two wars, which his advice would have saved. He stood against the current of the court; he stood against the tide of the people; he stood against both united; he was the isthmus lashed by the waves of democracy, and by the torrent of despotism, unaffected by either, and superior to both; (the Marpesian rock that struck its base to the centre and raised its forehead to the skies.)

MR. GRATAN.

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LORD CHARLEMONT.

FROM THE SPEECH ON THE "SPEECH FROM THE THRONE,"  
JANUARY 19, 1792.

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WE see your old general who led you to your constitution, march off; dismissed by your ministry as unfit to be trusted with the government of a county; the cockade of government struck from his hat. That man whose accomplishments gave a grace to your cause, and whose patriotism gave a credit to your nobles; whom the rabble itself could not see without veneration, as if they beheld something not only good but sacred. The man who drooping and faint, when you began your struggles, forgot his infirmity, and found in the recovery of your constitution, a vital principle added to his own. The man who smit with the eternal love of fame and freedom, carried the people's standard till he placed it on the citadel of freedom, see him dismissed from his government for those very virtues, and by that very ministry, for whose continuance you are to thank the king. See him overwhelmed at once with the adoration of his country and the displeasure of her ministers.



## MR. GRATTAN,

IN REPLY TO MR. CORRY, FEBRUARY 14, 1800.

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DURING the debate upon the union the chancellor of the exchequer (Mr. Corry) replied to Mr. Grattan, and making quotations from his pamphlet, and animadverting upon his speeches and writings charged him through those means with exciting the rebellion. He concluded a violent personal attack by alleging against him an association with disaffected characters.

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HAS the gentleman done? Has he completely done? He was unparliamentary from the beginning to the end of his speech. There was scarcely a word he uttered which was not a violation of the privileges of the house; but I did not call him to order—why? because the limited talents of some men render it impossible for them to be severe, without being unparliamentary. But before I set down, I shall show him how to be severe and parliamentary at the same time. On any other occasion I should think myself justifiable in treating with silent contempt any thing which might fall from that honorable member; but there are times when the insignificance of the accuser is lost in the magnitude of the accusation. I know the difficulty the honorable gentleman labored under when he attacked me, and conscious that on a comparative view of our

characters, public and private, there is nothing he could say which would injure me, the public would not believe the charge. I despise the falsehood. If such a charge were made by an honest man I would answer it, in the manner I shall do before I sit down. But I shall first reply to it when not made by an honest man.

The right honorable gentleman has called me "an unimpeached traitor." I ask, why not "traitor," unqualified by any epithet? I will tell him. It was because he dare not. It was the act of a coward, who raises his arm to strike, but has not courage to give the blow. I will not call him villain, because it would be unparliamentary, and he is a privy counsellor. I will not call him fool because he happens to be chancellor of the exchequer. But I say he is one who abused the privilege of parliament and freedom of debate, to the uttering of language, which, if spoken out of the house, I should only answer with a blow. I care not how high his situation, how low his character, how contemptible his speech, whether a privy counsellor, or a parasite, my answer would be a blow. He has charged me with being connected with the rebels; the charge is utterly, totally, and meanly false. Does the honorable gentleman rely on the report of the house of lords, for the foundation of his assertion? If he does I can prove to the committee there was a physical impossibility of that report being true. But I scorn to answer to any man for my conduct, whether he be a political coxcomb, or whether he brought himself into power by a false glare of courage or not. I scorn to answer any wizard of the castle, throwing

himself into fantastical airs. But if an honorable and independent man were to make a charge against me, I would say, "you charge me with having an intercourse with rebels, and you found your charge upon what is said to have appeared before a committee of the lords; sir, the report of that committee is totally and egregiously irregular." I will read a letter from Mr. Nelson who had been examined before that committee: it states that what the report represents him as having spoken, *is not what he said*. Mr. Grattan here read the letter from Mr. Nelson, denying that he had any connection with Mr. Grattan, as charged in the report; and concluding by saying "*never was misrepresentation more vile than that put into my mouth by the report.*"

From the situation that I held, and from the connections I had in the city of Dublin, it was necessary for me to hold intercourse with various descriptions of persons. The right honorable gentleman might as well have been charged with a participation in the guilt of these traitors, for he had communicated with some of these very persons on the subject of parliamentary reform. The Irish government too were in communication with some of them.

The right honorable member has told me I deserted a profession where wealth and station were the reward of industry and talent. If I mistake not, the gentleman endeavored to obtain those rewards by the same means; but he soon deserted the occupation of a barrister for that of a parasite and pander. He fled from the labor of study to flatter at the table of the great. He found the lord's parlor a better sphere for his exertions, than the halls of the four courts; the

house of a great man a more convenient way to power and to place; and that it was easier for a statesman of middling talents to sell his friends than a lawyer of no talents to sell his clients.

For myself, whatever corporate or other bodies have said or done to me, I from the bottom of my heart forgive them, I feel I have done too much for my country to be vexed at them. I would rather that they should not feel, or acknowledge what I have done for them, and call me traitor, than have reason to say I sold them. I will always defend myself against the assassin; but with large bodies it is different. To the people I will bow; they may be my enemy—I never shall be theirs.

At the emancipation of Ireland, in 1782, I took a leading part in the foundation of that constitution which is now endeavored to be destroyed. Of that constitution I was the author; in that constitution I glory; and for it the honorable gentleman should bestow praise, not invent calumny. Notwithstanding my weak state of body, I come to give my last testimony against this union, so fatal to the liberties and interests of my country. I come to make common cause with these honorable and virtuous gentlemen around me; to try to save the constitution; or if not to save the constitution, at least to save our characters, and remove from our graves the foul disgrace of standing apart while a deadly blow is aimed at the independence of our country.

The right honorable gentleman says I fled from the country after exciting rebellion; and that I have returned to raise another. No such thing. The charge



is false. The civil war had not commenced when I left the kingdom, and I could not have returned without taking part. On the one side there was the camp of the rebel, on the other side the camp of the minister, a greater traitor than that rebel. The strong hold of the constitution was no where to be found. I agree that the rebel who rises against the government should have suffered; but I missed, on the scaffold, the right honorable gentleman. Two desperate parties were in arms against the constitution. The right honorable gentleman belonged to one of these parties, and deserved death. I could not join the rebel—I could not join the government—I could not join torture—I could not join half-hanging—I could not join free quarter. I could take part with neither. I was therefore absent from a scene, where I could not be active without self reproach, nor indifferent with safety.

Many honorable gentlemen thought differently from me; I respect their opinions—but I keep my own; and I think now, as I thought then, *that the treason of the minister against the liberties of the people was infinitely worse than the rebellion of the people against the minister.*

I have returned, not as the right honorable member has said, to raise another storm;—I have returned to discharge an honorable debt of gratitude to my country, that conferred a great reward for past services; which, I am proud to say, was not greater than my desert. I have returned to protect that constitution, of which I was the parent and the founder, from the assassination of such men as the right honorable gentleman and his unworthy associates. They are corrupt,—they are seditious,—and they, at this very moment,



are in a conspiracy against their country. I have returned to refute a libel, as false as it is malicious, given to the public under the appellation of a report of a committee of the lords. Here I stand, ready for impeachment or trial: I dare accusation. I defy the honorable gentleman; I defy the government; I defy their whole phalanx: let them come forth. I tell the ministers I will neither give them quarter nor take it. I am here to lay the shattered remains of my constitution on the floor of this house, in defence of the liberties of my country.



## MR. GRATTAN.



### THE IRISH PARLIAMENT.

FROM THE SPEECH OF MAY 13, 1805, ON THE ROMAN CATHOLIC PETITION.

THE Parliament of Ireland—of that assembly I have a parental recollection. I sat by her cradle, I followed her hearse. In fourteen years she acquired for Ireland what you did not acquire for England in a century,—freedom of trade, independency of the legislature, independency of the judges, restoration of the final judicature, repeal of a perpetual mutiny bill, habeas corpus act, nullum tempus act—a great work.

## MR. PLUNKET.

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ON THE COMPETENCY OF THE IRISH PARLIAMENT TO PASS  
THE MEASURE OF UNION.

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SIR :

I, in the most express terms, deny the competency of parliament to do this act. I warn you, do not dare to lay your hand on the constitution. I tell you, that if, circumstanced as you are, you pass this act, it will be a nullity, and that no man in Ireland will be bound to obey it. I make the assertion deliberately—I repeat it, and I call on any man who hears me, to take down my words; you have not been elected for this purpose—you are appointed to make laws and not legislatures—you are appointed to act under the constitution, not to alter it—you are appointed to exercise the functions of legislators, and not to transfer them—and if you do so your act is a dissolution of the government—you resolve society into its original elements, and no man in the land is bound to obey you. Sir, I state doctrines which are not merely founded in the immutable laws of justice and of truth. I state not merely the opinions of the ablest men who have written on the science of government, but I state the practice of our constitution as settled at the era of the revolution, and I state the doctrine under which the house of Hanover derives its title to the throne. Has the king a right to transfer his crown? Is he compe-

tent to annex it to the crown of Spain or any other country? No—but he may abdicate it; and every man who knows the constitution knows the consequence, the right reverts to the next in succession—if they all abdicate, it reverts to the people. The man who questions this doctrine, in the same breath, must arraign the sovereign on the throne as a usurper. Are you competent to transfer your legislative rights to the French council of five hundred? Are you competent to transfer them to the British parliament? I answer no. When you transfer you abdicate, and the great original trust results to the people from whom it issued. Yourselves you may extinguish, but parliament you cannot extinguish—it is enthroned in the hearts of the people—it is enshrined in the sanctuary of the constitution—it is immortal as the island which it protects—as well might the frantic suicide hope that the act which destroys his miserable body should extinguish his eternal soul. Again, I therefore warn you, do not dare to lay your hands on the constitution; it is above your power. Sir, I do not say that the parliament and the people, by mutual consent and co-operation, may not change the form of the constitution. Whenever such a case arises it must be decided on its own merits—but that is not this case. If government considers this a season peculiarly fitted for experiments on the constitution, they may call on the people. I ask you, are you ready to do so? Are you ready to abide the event of such an appeal? What is it you must, in that event, submit to the people? Not this particular project, for if you dissolve the present form of government, they become free to choose any other—

you fling them to the fury of the tempest—you must call on them to unhouse themselves of the established constitution, and to fashion to themselves another. I ask again, is this the time for an experiment of that nature? Thank God, the people have manifested no such wish—so far as they have spoken, their voice is decidedly against this daring innovation. You know that no voice has been uttered in its favor, and you cannot be infatuated enough to take confidence from the silence which prevails in some parts of the kingdom—if you know how to appreciate that silence it is more formidable than the most clamorous opposition—you may be riven and shivered by the lightning before you hear the peal of the thunder! But, sir, we are told that we should discuss this question with calmness and composure. I am called on to surrender my birth-right and my honor, and I am told that I should be calm and composed. National pride! Independence of our country! These, we are told by the minister, are only vulgar topics fitted but for the meridian of the mob, but unworthy to be mentioned to such an enlightened assembly as this; they are trinkets and gewgaws fit to catch the fancy of childish and unthinking people like you, sir, or like your predecessor in that chair, but utterly unworthy of the consideration of this house, or of the matured understanding of the noble lord who condescends to instruct it! Gracious God! We see a Perry re-ascending from the tomb and raising his awful voice to warn us against the surrender of our freedom, and we see that the proud and virtuous feelings which warm the breast of that aged and venerable man, are only calculated to excite



the contempt of this young philosopher, who has been transplanted from the nursery to the cabinet to outrage the feelings and understanding of the country.

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## MR. PLUNKET.

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DENUNCIATION AGAINST THE MEN AND MEANS BY WHICH THE UNION WAS PERPETRATED.

LET me again ask you, how was the rebellion of 1798 put down? By the zeal and loyalty of the gentlemen of Ireland rallying round—what? a reed shaken by the winds, a wretched apology for a minister who neither knew how to give or where to seek protection! No—but round the laws and constitution and independence of the country. What were the affections and motives that called us into action? To protect our families, our properties, and our liberties. What were the antipathies by which we were excited? Our abhorrence of French principles and French ambition? What was it to us that France was a republic? I rather rejoiced when I saw the ancient despotism of France put down. What was it to us that she dethroned her monarch? I admired the virtues and wept for the sufferings of the man, but as a nation it affected us not. The reason I took up arms, and am ready still to bear them against France, is because she intruded herself upon our domestic concerns—because, with the rights of man and the love of freedom on her tongue, I see that she has the lust of dominion in her heart—because wherever she has placed her foot, she has erected her throne, and that to be her friend or her



ally is to be her tributary or her slave. Let me ask, is the present conduct of the British minister calculated to augment or to transfer that antipathy? No, sir, I will be bold to say, that licentious and impious France in all the unrestrained excesses which anarchy and atheism have given birth to, has not committed a more insidious act against her enemy than is now attempted by her professed champion of civilized Europe against a friend and an ally in the hour of her calamity and distress—at a moment when our country is filled with British troops—when the loyal men of Ireland are fatigued with their exertions to put down rebellion—efforts in which they had succeeded before these troops arrived—whilst our habeas corpus act is suspended—whilst trials by court martial are carrying on in many parts of the kingdom—whilst the people are taught to think that they have no right to meet or to deliberate, and whilst the great body of them are so palsied by their fears, and worn down by their exertions, that even the vital question is scarcely able to rouse them from their lethargy—at the moment when we are distracted by domestic dissensions—*dissensions artfully kept alive* as the pretext for our present subjugation and the instrument of our future thralldom!! Sir, I thank administration for this measure. They are, without intending it, putting an end to our dissensions—through this black cloud which they have collected over us, I see the light breaking in upon this unfortunate country. They have composed our dissensions—not by fomenting the embers of a lingering and subdued rebellion—not by hallooing the Protestant against the Catholic, and the Catholic against the Protestant—not by committing the north against the south—not by

inconsistent appeals to local or to party prejudices—no—but by the avowal of this atrocious conspiracy against the liberties of Ireland, they have subdued every petty and subordinate distinction. They have united every rank and description of men by the pressure of this grand and momentous subject, and I tell them that they will see every honest and independent man in Ireland rally round her constitution and merge every other consideration in his opposition to this ungenerous and odious measure. For my own part, I will resist it to the last gasp of my existence, and with the last drop of my blood, and when I feel the hour of my dissolution approaching, I will, like the father of Hannibal, take my children to the altar and swear them to eternal hostility against the invaders of their country's freedom. Sir, I shall not detain you by pursuing this question through the topics which it so abundantly offers. I should be proud to think my name might be handed down to posterity in the same roll with these disinterested patriots who have successfully resisted the enemies of their country—successfully I trust it will be—in all events I have my “exceeding great reward.” I shall bear in my heart the consciousness of having done my duty, and in the hour of death I shall not be haunted by the reflection of having basely sold or meanly abandoned the liberties of my native land. Can every man who gives his vote on the other side, this night lay his hand upon his heart and make the same declaration? *I hope so*—it will be well for his own peace—the indignation and abhorrence of his countrymen will not accompany him through life, and the curses of his children will not follow him to his grave.

## MR. PLUNKET.

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COMPARISON BETWEEN MR. PITT AND LORD CASTLEREAGH.

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THE example of the prime minister of England, imitable in its vices, may deceive the noble lord. The minister of England has his faults; he abandoned in his latter years the principles of reform, by professing which he had obtained the early confidence of the people of England, and in the whole of his political conduct he has shown himself haughty and intractable; but it must be admitted that he has shown himself by nature endowed with a towering and transcendent intellect, and that the vastness of his moral resources keeps pace with the magnificence and unboundedness of his projects. I thank God, that it is much more easy for him to transfer his apostacy and his insolence, than his comprehension and sagacity; and I feel the safety of my country in the wretched feebleness of her enemy. I cannot fear that the constitution which has been formed by the wisdom of sages, and cemented by the blood of patriots and of heroes, is to be smitten to its centre by such a green and limber twig as this.

## MR. BURROWS.

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SPEECH ON THE TRIAL OF ROBINSON FOR BIGAMY.

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MY LORDS and gentlemen of the Jury:—It falls to my lot, very much by me regretted, to state to you a case as pregnant with circumstances of human wo, as strongly appealing to the feelings of humanity as ever appeared in a court of justice. The prisoner at the bar stands indicted for a crime too often committed and seldom prosecuted in this country, a crime which, I think you will agree with me, stands pre-eminently high in the scale of offences—a crime at once preying upon the best interest of society, and annihilating the happiness of the individual who chances to be its victim. I shall not misrepresent or aggravate this transgression. It is impossible to doubt your anxiety, gentlemen, if a proper case for your verdict should arise, to prevent, by punishment, the repetition of such an offence, and administer the only possible consolation to the agonized feelings of an injured family. I shall proceed briefly to state to you the facts of this case. On a luckless morning, in the month of July, 1810, the prisoner at the bar rapped at the door of Mr. Charles Berry, an eminent attorney, resident on Arran Quay, in this city. He was admitted to a conference, and a long and fatal conference.—Mr. Berry never had known him, never had seen him—never heard that such a man was in existence;—his appearance was wretched



and squalid to a degree of extremity, carrying the marks, the legible marks of misfortune and affliction. His debilitated frame and haggard looks at once recommended him to the sympathy of Mr. Berry. This sympathy was kept alive and augmented by introductory letters which this man carried with him, and by a sad and instructive tale of folly and misfortune, which was communicated to Mr. Berry in the most impressive manner by this forlorn stranger, and which was in many parts corroborated by letters from persons in whom Mr. Berry could confide. From these sources Mr. Berry was informed that he had once been high in fortune's favor, that he was the favorite and adopted nephew of general Robinson who died in the year 1793;—that whilst almost a boy, he was treated with the most lavish and improvident indulgence, placed under masters to be taught what is called accomplishments—that he had been allowed for his expenditure £500 per annum—that his uncle, on his death, bequeathed him as large a legacy as £100,000 vested in the English funds. He of course concluded that his wealth was inexhaustible, and he became as lavish and dissolute as the most prodigal man of the day. He purchased into the cavalry, and what with his credit and the unkind accommodation of friendly loans, he was in a short time, and whilst under age, enabled to waste £20,000 of his fortune—that at length in 1800 an unlucky wind wafted him to this country—that he was quartered at Clonmel in the county of Tipperary in that year, and shortly after became acquainted with the family of Mr. Stony of Arran Hill. Gentlemen, when I am relating facts as to that family, I am telling



you what he told Mr. Berry, for the truth of which I do not vouch. I would not hazard the doing so, for I know the origin from which the communication came. He told Mr. Berry that Mr. Stoney had advised him to quit the army: that he did so; that Mr. Stoney gave him a hospitable invitation to enjoy the pleasures of the chase at his country mansion—that he accepted the invitation, and was treated with kindness and hospitality, that he enjoyed the sports of the field abroad, and the pleasures of the drawing-room at home. That Mr. Stoney's eldest daughter was strongly recommended by her personal charms, and that Mr. Robinson though still a minor, was not insensible to their influence, and that a mutual attachment was the consequence. He told Mr. Berry that Mr. Stoney encouraged his addresses; that he did not throw any impediment in the way on the ground of his minority—that he did not suggest any prudential recommendation to wait one year till he should arrive at age—that, on the contrary, he suggested and supplied means of immediate marriage, and prepared the parties with accommodations for Scotland. On their way to Scotland, in Dublin they stopped at the house of a professional gentleman who had been married to a daughter of Mr. Stoney. There it was managed that he should execute a most liberal marriage settlement, amounting to £20,000. And it was thought right also that Mr. Barry (Mr. Stoney's son-in-law) should retain a further sum of £4,000 for purposes not then defined. At this time it was that the prisoner got acquainted with Mr. Vigne, the jeweller; they then set off for Scotland and arrived as rapidly as could be expected from the nature of the

mission, at Portpatrick. There the prisoner at the bar was married, in the presence of many witnesses, to Miss Ruth Stoney, by a clergyman of the church of Scotland, in a place of public worship. Having been married, they remained in Portpatrick one or two days, and thence immediately repaired to London. His stay there was not very long, but it was not an idle time; it was no sluggish, no obscure and inglorious period. On his arrival he hired a furnished house in the most fashionable part of the city. He hired a country villa, purchased four carriages and seven race horses, with an endless establishment of grooms, postillions, and out-riders. He flourished at all places of public resort. At Newmarket and at Epsom. He shot like a meteor across public observation. He dazzled for a week, he was recollected for a month. Being sated with the glories of the sod he was smitten with a passion to become a candidate for parliament, and embarked in all the extravagance and bustle of a contested election. He heard of a vacancy in a borough, where money recommended to distinction, and offered the senatorial dignity to the highest bidder. Thither he repaired with all the pomp and circumstance of a popular candidate. Though he did not succeed, he polled a prodigious number of free and independent voters, at the price of seventeen or eighteen thousand pounds. But, gentlemen, it is useless to dwell on the idle and puerile instances of his prodigal folly. You are aware this course could not long continue, a man thus blazing with lavish dissipation in every direction must soon have burned out. At the close of two years he was without money, without credit. The man who shone with such splen-

dor, dared no longer to appear in the open day. Bailiffs were his principal visitors, London became a solitude to him, and he repaired to Ireland. The prudence of his father-in-law had enabled him to vest in a purchase in Ireland a sum of money which produced about nine hundred pounds a year. To this remnant of his property he repaired, and he took up his habitation near his father-in-law. A man of his capacity for expense must have contracted debts in Ireland as well as England. After a few years of ignoble extravagance in Ireland, he became a prisoner in his own house, it was besieged with bailiffs, and all the calamities of ruined fortune surrounded him. The man who had shone so brilliantly in the metropolis of the empire, was at last unable to show his face in the smallest village in Ireland. He told Mr. Berry that a project was at last formed by his wife's family to preserve the income of the property which he had purchased for the maintenance of himself and family. It was suggested that his wife's pin-money was in arrear, and that an amicable bill should be filed by the trustee in order to raise it. That a receiver would be put upon the estate, by which stratagem it would be protected from the creditors, and he would draw the rents for his own support. The bill was filed, he put in his answer, admitting all that was stated, and there was a decree. A receiver was put upon the lands; and as he stated, the rents fell into the hands of Mr. Stoney. In order then to excite the humanity of Mr. Berry he told him that the moment the rents were thus taken from him his father-in-law refused to furnish him with a penny. He told Mr. Berry that whilst in his career of prodigality he had

lent his father-in-law from eight to ten thousand pounds, and he told him, as the winding up of his ingratitude, that the very moment the receiver was put upon his property, his wife and children, for he had, and still has, four children, deserted him, and went to his father-in-law's house. He attempted to follow them, but was repulsed. The exhausted prodigal would not be sheltered under the roof of the man who had seized his last stake. His misery now was complete, and without remedy, he was abandoned by his dearest relations, banished from their society, their confidence and love; the doors of his father's house were closed against him, and he was left a stranger in a strange land, bereft of his fortune, abandoned by his wife, shunned by his offspring, and left a prey to want, and the impending horror of arrest and imprisonment.

Such was his pitiful tale to Mr. Berry, a tale against the effects of which he could not, he would not struggle. Mr. Berry at once took him under his protection, little thinking that the hand which he grappled in friendship would one day wound him where he was most vulnerable. His humanity was not chilled by suspicion, he thought not of the artifice of the impostor, while he was stimulated to relieve the stranger, and that relief was bountiful as it was disinterested. How was he treated? Mr. Berry, gentlemen, provided the prisoner at the bar with lodging, for the rent of which he became security—in that lodging he supplied him, outcast as he was, with the necessaries, with the comforts of life. He was laboring under a heavy bodily malady; he procured him an apothecary, a physician, medicine and wine. It was necessary in the furtherance of his



legal pursuits to have frequent intercourse with Mr. Berry, and he constantly crept out in the darkness of the night to visit the family of his benefactor, whenever relieved from the apprehensions of the bailiff, or by a casual relaxation from his disease, he came pouring out the benedictions of a grateful heart to the house of his friend and benefactor. Whenever he came he was received with open arms and the most confiding hospitality. Those visits were dangerous to his health, and hazardous to his liberty. Yet they were necessary. These difficulties, half hinted and half anticipated, produced an invitation to become resident in Mr. Berry's house, while the necessary inquiries for legal proceedings were making. He thus became an inmate in that house which he has rendered a scene of unparalleled and incurable affliction. Mr. Berry with indefatigable industry collected materials to lay before counsel. He was advised to file three bills in chancery—one to review and reverse the decree obtained in the manner I have described—another to force his father-in-law to discover and account for various sums said to be lent to him—and a third to compel Barry to account for £4,000 alleged to be kept by him at the time of the marriage. Mr. Berry, at his own expense, filed all these bills, and the suits are still depending. During his residence in Mr. Berry's house, his wish to please was unceasing, and he manifested in every act and in every word, the animated gratitude by which he was actuated. Compassion grew into esteem in every part of Mr. Berry's family. Gentlemen, let me say one word or two as to the domestic situation of Mr. Berry at this momentous period. He was a man of industry



and business, not educated to pleasure, the duties and concerns of an arduous profession keeping him constantly employed. Mrs. Berry was in a delicate state of health, a valetudinarian, whose almost only care should be the preservation of her own existence. He had two daughters, the one a child, the other but a few years older, now in her sixteenth year of age. She, gentlemen, it is, who has become the hapless heroine of the sad story of this unfortunate family. She was in her person lovely, in her manners interesting, in female accomplishments eminently cultivated, in domestic virtues and filial duty pre-eminent. She had an ardent and elevated mind—a warm and affectionate heart. She was the delight of her parents at home, their pride abroad, the solace of their labors and their cares, and the anticipated hope and joy of their declining lives. The love of offspring, the most forcible of all our instincts, is even stronger towards the female than the male child. It is wise that it should be so, it is more wanted—it is just that it should be so, it is more requited. There is no pillow on which the head of a parent, anguished by sickness or by sorrow, can so sweetly repose, as on the bosom of an affectionate daughter. Her attentions are unceasing. She is never utterly foris familiar. The boy may afford occasional comfort and pride to his family—they may catch glory from his celebrity, and derive support from his acquisitions; but he never can communicate the solid and unceasing comforts of life which are derived from the care and tender solicitude of the female child—she seems destined by Providence to be the perpetual solace and happiness of her parents. Even after her marriage her filial

attentions are unimpaired; she may give her hand and heart to her husband, but still she may share her cares and attention with her parents, without a pang of jealousy or distrust from him. He only looks on them as the assured pledges of her fidelity and the unerring evidences of a good disposition. Mr. Berry ought, perhaps, to have guarded this treasure with more jealous suspicion—perhaps he ought not to have suffered a man acknowledging himself to have been sunk in the vortex of fashionable dissipation, to have had opportunities of converse with this young female. But, gentlemen of the jury, it is easy to be wise after experience—it is easy to suggest expedients to prevent evil after it has occurred. Is there a man of you could suspect, that a married man, with four children, paralyzed and forlorn, received under your hospitable roof, covered with benefits, which would have kindled gratitude in the basest nature, could be guilty of meditating the infliction of such a fatal wound upon his benefactor? The slightest suspicion never glanced across the mind of Mr. Berry or his family—it was out of the nature of things. Look at him, gentlemen, at the bar of his country! Is he an object likely to engender suspicion of such a crime? You have heard the story of his shattered fortunes—could his wealth have been attractive? What could Mr. Berry have dreaded from the intercourse of such a man, even if he were unmarried? But, gentlemen, it has turned out that he had means of acquiring an ascendancy over a young female mind which were unfortunately too prevailing—he was a man of polished manners, and though superficial, yet attractive endowments; his understanding, though not

sound, was not altogether uncultivated—he had a taste for the belles lettres, was an adept in music and poetry, understood drawing, was conversant in the fashionable tales of the day, and possessed of all that little artillery of accomplishment which make a man agreeable, particularly in female society. Gentlemen, it sometimes happens that the same courses which vitiate the morals improve the manners, and that the surface appears the more polished for the corruption which it covers and conceals. In the month of December, 1810, he was ordered to Cheltenham. Mrs. Berry was at the time very ill, and she was prescribed also the Cheltenham waters. Mr. Charles Berry being himself detained on professional business, in the spirit of affectionate indulgence, consented that the young lady should accompany her mother and the prisoner at the bar to Cheltenham—thence they went to London. Mr. Robinson, when in the full possession of wealth had dealings with several persons in London who had never fully accounted with him, and whilst there collected a few hundred pounds from the ruin of his property. Whilst in London he paid those attentions to the young lady and her mother which a polite man is never deficient in paying, and which no suspicion of his design induced them to reject—he offered some slight presents to the young lady of trivial value, which were rejected. He came to Mr. Berry and lamented the situation into which the obdurate rejection of his gratitude had placed him. He affected a most high wrought sensibility—his remonstrance could not have excited any suspicion. “You have taken me under your protection—you have expended your money in supporting

me, and in pursuit of an object which has not as yet fructified—you have received me into your house, and you will not accept of remuneration—why then refuse me making you this slight but grateful return? Ask yourself the question, if you refuse me can I ever return to your house? Can I live under the load of your benefaction?” His importunities succeeded; and Miss Berry, with the consent of her father, received from him some trifling presents, not amounting in value to £20. Gentlemen, can you conceive any thing indelicate in that conduct? Will you say that suspicion should have been excited? Was there any imprudence in the acceptance? Gentlemen, is there a man of you, who, if he had received one hundredth part of the favor conferred upon the prisoner, would not conceive himself called on to make a return of tenfold value. The party returned back to Ireland in the spring, and things remained on this footing until the fatal 18th of November last. I shall trace him through the melancholy occurrences of that day. Through what artifice—through what fascination—through what suggestion—by what sophistry—by what allurements he must have drugged the mind of this young female, it is impossible to say. It is a moral miracle! It is out of the ordinary course of human agency. Yet so it happened that on the 18th of November, he being at the time so worn down by illness that his life was in danger, with strength scarcely sufficient to admit his being carried to the carriage in the arms of the servant, he induced this young lady to accompany him—he told her parents that he was going to the hot baths, and would leave her at Mr. Vigne’s to hear an eminent proficient, his



(Vigne's) sister, play on the piano-forte, and begged Mr. Berry would indulge her with this musical gratification, as Miss Berry was considered a first performer. It is impossible for me, gentlemen, to account for his influence over this young lady's mind; it would be vanity in me to attempt to explain the cause;—however, he did induce her, accompanied by her sister, a child from ten to twelve years old, to go to Mr. Vigne's in Nassau street, where the prisoner had provided a clergyman of the name of Harris, who actually did celebrate the ceremony of marriage between them, and having prevailed on her to become his wife in point of ceremony, he was carried back to his carriage and afterwards in Mr. Berry's servant's arms to his own bed. I am happy, gentlemen, to say that he did not, he could not, render his crime perfect and complete. It is really a curious riddle; it surpasses any thing I ever heard or read of, and but for the melancholy and afflicting distress of her injured family, it would be a matter of novel and curious inquiry to discover how he should have sought or acquired that ascendancy over her mind. It could not be a gross and sensual passion—a glance of your eye must refute the idea. What! a sensual passion for a being, such as you behold, drooping under the ravages of disease, and unable to walk to a carriage! It could not be a mercenary attachment to the object of her father's charity. It must have been some mental fascination. By what artifices that unworthy man could influence the mind of a person ten times his superior in understanding is astonishing; the means are incredible—whether he told her of the sufferings of his youth—the



ruin of his fortunes—his desertion by his wife and her ingratitude—whether his distresses excited her compassion, or whether he deluded her into the notion of his marriage being void, is quite inexplicable;—but so prevalent was his power over her mind that she would not have disputed his authority, and probably she would have more cheerfully obeyed him, if he had commanded her to give her hand to any other man. The charitable public who will hear of this trial ought to carry in their minds this extenuation—the utter impossibility that any thing sensual, or vain, or mercenary, could have actuated her mind to that strange and blind obedience. And when female criticism sits in judgment upon this hapless young lady, and is about to pronounce an austere and unfeeling judgment, I hope it will be recollected that their common and primeval parent fell under the fascination of a reptile.

Gentlemen, Miss Berry returned from the ceremony to her father's house—very soon it became visible that some dire misfortune had befallen her and her family; from the hour of her return to the day of the disclosure of her calamity, she drooped and languished—at meals a mere spectator; her interesting deportment, her cheerful manners were gone—she could not look in the face of her parents, and the eye of any human creature was distressing to her:—from the hour of her misfortune she never entered into the door of her aunt (Mrs. Hetherington) whose property she was to inherit, and to which I trust she has not disentitled herself. What was, gentlemen, the object of the prisoner at the bar? His object was to render home so irksome and odious to her, that he could induce her to elope

with him, and he was, in fact, collecting funds to put his plans into execution. At length the expostulation of her friends upon the alteration of her manners, drew from this unhappy girl the acknowledgment of her situation in the presence of Mr. Robinson, who did confess the fact, and claim her as his wife. And what, gentlemen, was the consequence? It affected Mr. Berry with amazement, rage and horror; but with such a stupor of grief that the acknowledged culprit crawled off with his life. The intemperate sorrow of Mr. Berry led him thoughtlessly to disclose the melancholy tale to his wife, and for three days she was affected with unremitted fits of hysterics threatening a permanent loss of reason! And, gentlemen, what was its effect upon her aunt?—the moment she heard it she was affected with an apoplexy. Such, gentlemen, was the gratitude flowing from the prisoner at the bar to Mr. Berry for the services he had rendered him. Gentlemen, under these circumstances what was Mr. Berry to have done? Has he acted right? He had but one of three courses to adopt—he might have connived at this improper connexion and irreligiously sanctioned it by his subsequent ratification, choosing between exposure and vice—but had he deliberated upon this alternative he would have been a worse criminal than the man he prosecutes. He might have strove to have hushed it. Perhaps a man whose sensibility was stronger than his reason might waver in his determination as to this course. But Mr. Berry had no choice! even that expedient was denied him. The prisoner at the bar publicly claimed her as his wife. It was not left this unhappy father to bury the whole transaction

in oblivion—he was driven to the last and sad alternative to yield to the suggestion of his own feelings—to yield to the unanimous advice of his friends—for though his life may be embittered—though he and his family may never wear the cheerful smile, or appear with that unclouded hilarity which accompanied their former intercourse with the world, yet he must derive consolation from the recollection of his having brought a delinquent of his atrocious guilt to punishment, and in having provided that this man shall not repeat his crimes, and bring sorrow into the bosom of other families—and if he does, it must be in that region of culprits to whom he has levelled himself as a fit associate. Gentlemen, we will prove this case to you. There cannot be a doubt of the double marriage—how it can be vindicated it is impossible for me to discover. It comes before you badged with every aggravation which sensibility would shudder at;—but if you doubt the fact of these marriages, God forbid that any thing I have said or could suggest should operate to supply the evidence—the very enormity of the crime should be a ground of favor in deciding upon his guilt; but as to any cavilling points and capricious doubts, not denying the turpitude of the case or the commission of the crime—you cannot, gentlemen, feel yourselves warranted in entertaining them with favor. Gentlemen, I have now stated what I conceive to have been due to public justice and the family of this lady, and I now implore those who are present at this trial, or may hear of it abroad—I implore those who may be ready to censure indiscretion in others, when they have been more fortunate themselves, mercifully to recollect the

youth of this hapless female and the influence by which she was led away. The kind of man, under the fascination of whose power she wandered from the direct path of rectitude—the utter impossibility of her being actuated by sensual or mercenary motives—how tyrannical that mental influence becomes over understandings naturally strong and superior to the government it submits to—a government which we see every day exercised by the meanest instruments over the most exalted characters. We will produce the evidence to establish those facts, and I know you will find that verdict which the evidence will warrant.

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## MR. BURROWS.

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### CHARACTER OF MR. GRATTAN.

I FEEL but little any portion of the noble lord's obloquy, which may attach to me or my humble efforts; but I own, I cannot repress my indignation at the audacious boldness of the calumny, which would asperse one of the most exalted characters which any nation ever produced, and that in a country which owes its liberties and its greatness to the energy of his exertions, and in the very house which has so often been the theatre of his glorious labors and splendid achievements. I remember that man the theme of universal panegyric—the wonder and the boast of Ireland for his genius and his virtue. His name silenced the sceptic upon the reality of genuine patriotism. To doubt the purity of his motives was a heresy which



no tongue dared to utter—envy was lost in admiration, and even they whose crimes he scourged, blended extorted praises with the murmurs of resentment. He covered our then unfledged constitution with the ample wings of his talents—as the eagle covers her young; like her he soared, and like her he could behold the rays, whether of royal favor or of royal anger, with undazzled, unintimidated eye. If, according to Demosthenes, to grow with the growth, and to decay with the decline of our country, be the true criterion of a good citizen, how infinitely did this man, even in the moment of his lowest depression, surpass those upstart patriots who only become visible when their country vanishes.

Sir, there is something most singularly curious, and according to my estimation of things, enviable, in the fate of this great man; his character and his consequence, are as it were, vitally interwoven with the greatness of his country—the one cannot be high, and the other low—the one cannot stand, and the other perish; this was so well understood by those who have so long meditated to put down the constitution of Ireland, that, feeling that they could not seduce, they have incessantly labored to calumniate her most vigilant centinel and ablest champion—they appealed to every unguarded prejudice, to every assailable weakness of a generous but credulous people—they watched every favorable moment of irritation or of terror to pour in the detested poison of calumny. Sir, it will be found on a retrospect of Ireland since 1782, that her liberties never received a wound, that a correspondent stab was not levelled at his character, and when it was



vainly hoped, that his imperishable fame was laid in the dust, the times were deemed ripe for the extinction of our constitution. Sir, those impious labors cannot finally succeed, glory and liberty are not easily effaced—GRATTAN and the constitution will survive the storm.



## MR. BURROWS.



CONDUCT OF LORD CASTLEREAGH IN FORWARDING THE IRISH UNION.

BUT is the parliament to which he thus primarily and exclusively resorts, left to exercise its unbiassed judgment? I shall not dwell upon this odious subject—I shall not compare the black list with the red book—nor enumerate those who lost, with those who gained, offices—I shall not anticipate those posthumous funeral honors which await some who have *undertaken* for the extinction of the constitution of their country, if they shall succeed in their pious labors, or allude to the *phœnix judges* who are to spring out of the ashes of the Irish legislature. I do not like even to think of these deluded men who forgot they had a country probably because they thought their country would not survive to remember them. I turn to a more grateful subject. The virtue of this house triumphed over the minister, and refuted the calumnies which were levelled even more at your existence than your fame. The measure was defeated—tranquillity was restored—and

what, if possible, was better, this house was raised in the public estimation, and endeared to the heart of every honest Irishman. This was a consummation devoutly to be wished—this was an accidental good flowing from the miscarriage of a bad measure, at which a wise minister would have exulted, and upon which he might have improved. What was the conduct of the minister? He suddenly changes, if not his principles, his practice—he appeals from the *refractory competence* of parliament to the *derided sovereignty* of the people—the people became every thing—the parliament nothing—compared with him Tom Paine dwindles into an aristocrat—can it be credited in Europe—can it be credited by posterity? *That the minister who has lavished so much treasure and blood in combating republican principles in France—to whose mind jacobinism is a compendium of every crime—who cannot hear the physical strength of a country mentioned without horror—that this minister should dive into cellars and climb into garrets to solicit plebeian signatures against the ancient constitution of Ireland—that he should set on foot a poll of the populace against the constitution—that he should blacken the columns of the government prints with the names of day laborers of the lowest description, attesting in favor of his jacobinical innovation! \**

\* What a beginning was this for the future favorite of modern legitimacy and holy alliances!

## MR. BURROWS.

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ON THE INJUSTICE AND SEVERITY OF THE PENAL CODE IN  
IRELAND.

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GENTLEMEN:

It would be a bitter reflection on your character as Irishmen, to presume you to be hostile to the principle, or pursuit, of the Catholic committees. Persuaded I am, that whatever your religion may be, or your zeal for that religion—whatever your natural, manly, and constitutional hatred of slavish principles; whatever your predilection for your own creed may be, there is not a man of you who does not rejoice at the blessings which have flowed from the breaking down of the penal code. Some of you are old enough to remember this country in a state of the lowest degradation. Half a century back it was so squalid and contemptible that any stranger, whom chance or curiosity brought to our shores, entered it with terror and left it with disgust. No historian, no tour writer named Ireland but in terms of reproach. The code which caused this lamentable condition has been broken in upon by Protestant liberality going hand in hand with Catholic zeal. It was a code calculated to degrade the Catholics, not merely to the state of the beasts of the field, but far beneath them—to deprive them not only of every natural and civil right, but of every thing that could improve or embellish the nature of man.

Every inlet of knowledge was closed against them. No Roman Catholic could be taught even the rudiments of learning but upon the terms of abdicating his principles, and surrendering his conscience, by renouncing his creed. Harsh measures were adopted to keep their minds as grovelling as their personal condition was abject. Not a ray of light could approach them, except such pilfered literature as persecuted pedagogues could convey, or such barbarous philosophy as could be supplied from foreign universities under the severest prohibitions, as if ignorance were an antidote to superstition—as if the light of science would extinguish the light of the Gospel!

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MR. BUSHE.

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INJUSTICE OF THE MEASURE OF UNION.

I STRIP this formidable measure of all its pretences and its aggravations; I look at it nakedly and abstractedly, and I see nothing in it but one question—*will you give up the country?*—I forget for a moment the unprincipled means by which it has been promoted, I pass by for an instant the unseasonable moment at which it was introduced, and the contempt of parliament upon which it is bottomed, and I look upon it simply as England reclaiming, in a moment of your weakness, that dominion which you extorted from her in a moment of your virtue, a dominion which she uniformly abused,

which invariably oppressed and impoverished you, and from the cessation of which you date all your prosperity. It is a measure which goes to degrade the country by saying it is unworthy to govern itself, and to stultify the parliament, by saying it is incapable of governing the country. It is the revival of the odious and absurd title of conquest; it is the renewal of the abominable distinction between mother country and colony which lost America; it is the denial of the rights of nature to a great nation, from an intolerance of its prosperity. No man would be so frantic as to state as an abstract proposition, that Ireland is physically disfranchised from the common privileges of nations. If you stated to a native of a foreign nation that a country, containing a population of nearly five millions of inhabitants, and a territory of nearly nineteen millions of English acres, inhabited by a brave and generous people, blest by nature with a fertile soil, and every aptitude for commercial prosperity and domestic wealth, was physically incapable of governing itself, that foreigner would laugh at you. If you stated that a country containing relatively nearly a half of the population of Great Britain, though scarcely a third of its territory, and containing a metropolis at least the fourth city in Europe, exceeding in extent and population the capitals of his majesty's imperial allies, the Emperors of Russia and Germany, was by nature doomed to provincial inferiority, and was radically disqualified from governing itself, you would pronounce a libel upon a bountiful Providence, and a libel that would not be endured.



## MR. BUSHE.

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REPLY TO THE CHARGE OF JACOBINISM MADE BY MR. PLUNKET  
AGAINST THE ATTORNEY AND SOLICITOR GENERAL OF IRELAND  
FOR RESISTING THE RIGHT OF THE CHIEF BARON TO THE AP-  
POINTMENT OF CLERK OF THE PLEAS, IN HIS COURT.

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THE weight of the censure which has fallen on us is increased in proportion to the height from which it has descended. It has come from the counsel of a chief judge of the land: from the lips of one of the most illustrious individuals in this country; from a member of the united parliament; from a man whose inimitable advocacy is but secondary to that high character for integrity and talent, which he has established for himself and for our nation—upon whose accents “the listening senate” hangs—with whose renown the entire empire resounds. From such a man, censure is censure indeed. I call then upon him not to stop half way in the discharge of his duty. If we are tyrannical and oppressive—if we have revived and transcended the worst precedents of the worst days of prerogative—I call upon him in the name of justice—of our ancient friendship, and of our common country—I call upon him by every obligation which can bind man, to impeach us. If he be not our prosecutor, he becomes our accomplice. He is bound to call us to the bar of that senate, where he will be on his legs and we shall be upon our knees; and if his accusation be true, our heads are due to justice. The character of the chief

baron has been redeemed by me; I have rescued the character of the court of exchequer; I have vindicated my own; one yet remains—the character of Mr. Plunket himself—and, therefore, I call upon him in support of his high reputation, to bring us to Westminster where impeachment is constitutional—where he will hold his high place and the lofty port which becomes him. I call upon him to assume the senator and the patriot, and assert his rank in that august assembly. To none has that high station which he holds in it given more delight than to me. I rejoice in it, as an attached and ardent friend, and as an Irishman, I exult in a man who has exalted the character of our country in the senate as high as another illustrious countryman has raised it in the field. Let him not stop at the charge which he has made in this place—let him follow it up—“non progredi est regredi”—he must either give up with shame this unjust attack upon the servants of the crown, or he must follow up his duty as a member of parliament, and carry us before the bar of the commons. Let him do so—we are not afraid—*there*, at least, the judicial determination shall not be upon the hearing of one party. Let him remember that the charge is illegality, jacobinism, and revolution, and that the crime is disrespect to what he calls the adjudication of the court of exchequer! The very neighborhood of Westminster Hall ought to make him pause. What! state within its precincts, that a court of exchequer in Ireland had made a solemn determination in a case where one party was not present and where the other presided! The very walls of Westminster Hall would utter forth a groan at such an

insult to the judicial character—the very monuments would yield up their illustrious dead—and the shades of Mansfield, and of Somers, of Holt and of Hale, would start from their tombs to rebuke the atrocious imputation. I must call upon him to go on—but if he should—I tell this Wellington of the senate, that he will do so at the peril of his laurels—I tell him, that they are foredoomed to wither to the root.

G E M S  
OF  
IRISH WIT AND ANECDOTE.

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CURRAN AND LORD CLARE.

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ANOTHER peculiarity of the Irish bar that is now passing away, but which prevailed to a great extent during Mr. Curran's forensic career, was the frequency of collisions between the bar and the bench. It was often his fate to be involved in them, and many are the instances of the promptness of repartee, and of the indignant intrepidity with which on all such occasions he defended the privileges of the advocate. It will be presently seen that he had scarcely appeared at the bar, when he showed how he could encounter and triumph over all the taunts and menaces of a hostile judge. The same spirit of resistance and retaliation will be found in his contests with Lord Clare; and at a much subsequent period, when he was exerting himself in a cause with his characteristic firmness, the presiding judge having called the sheriff to be ready to take into custody any one who should disturb the decorum of his court, "Do, Mr. Sheriff," replied Mr. Curran, "go and get ready my dungeon; prepare a bed of straw for me; and upon that bed I shall to-night repose with more tranquillity than I should enjoy were I sitting upon that bench with a consciousness that I disgraced it."

## CURRAN AND MACKLIN.

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AFTER Mr. Curran had concluded his terms, he was detained for some time in London in expectation of a remittance from Ireland, without which he could neither discharge his arrears at his lodgings, nor return to his own country. At length, just as his purse had attained "the last stage of inanition," he received a bill of exchange upon a banking house in Lombard street: without stopping to examine the bill minutely, he flew to present it; but the banker soon discovered that a necessary endorsement was omitted, and of course refused to pay it. Of the scene upon this occasion, as it took place across the counter, his own consternation at the dreadful tidings, and the banker's insensibility to his distress, his solemn and repeated protestations that the bill came from a *most* respectable merchant in the butter trade at Cork, and the wary citizen's marked distrust of all that was Irish, Mr. Curran used to give a most dramatic and ludicrous description. Having left the banker's, and being without a shilling in his pocket, he strolled into St. James' Park, where he remained during his usual dinner hour, considering the means of relieving himself from his present necessity; but after long reflection, he could only come to one certain conclusion, that the misfortune could never have happened more inopportunately, every one of his Irish friends, to whom alone he could have applied,



having quitted London, leaving him behind, awaiting this remittance.

As he sat upon one of the benches, exhausted with devising expedients, he began to whistle a melancholy old Irish air; an old gentleman seated at the other end (it was Macklin) started at the well-known sounds.

"Pray, sir," said the stranger, "may I venture to ask where you learned that tune?"

"Indeed, sir," replied the whistler, in the meek and courteous tone of a spirit which affliction had softened, "indeed you may, sir; I learned it in my native country, in Ireland."

"But how comes it, sir, that at this hour, while other people are dining, you continue here, whistling old Irish airs?"

"Alas! sir, I too have been in the habit of dining of late, but to-day, my money being all gone, and my credit not yet arrived, I am even forced to come and dine upon a whistle in the park."

Struck by the mingled despondence and playfulness of this confession, the benevolent veteran exclaimed: "Courage, young man! I think I can see that you deserve better fare; come along with me, and you shall have it."

About ten years after this interview, Macklin came to Dublin. Mr. Curran, who in the interval had risen to eminence, was invited one evening to a party where the actor was one of the company; they were presented to each other, but Macklin failed to recognize in the now celebrated advocate and orator, the distressed student in St. James' Park. Mr. Curran, perceiving this, abstained for the moment from claiming any acquaint-

ance; but he contrived in a little time to introduce a conversation upon the acts of kindness and hospitality which Irishmen so generally receive abroad from such of their countrymen as they may chance to meet; as a proof of which he began to relate what had happened to himself, and proceeded to give a vivid picture of the scene, and (suppressing the name) of the generous old man who had befriended him in a land of strangers. A glow of recollection was soon observed upon the player's countenance; he started, and fixing his eyes upon the speaker, "If my memory fails me not, sir," said he, "we have met before?" "Yes, Mr. Macklin," replied Mr. Curran, taking his hand, "indeed we have met; and though upon that occasion you were only performing upon a private theatre, let me assure you, that, to adopt the words of a high judicial personage, which you have heard before, *you never acted better.*"

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## PERSONAL APPEARANCE

OF

### MR. CURRAN.

MR. CURRAN's person was short, slender and ungraceful, resembling rather the form of a youth not yet fully developed, than the compact stature of a man. His face was as devoid of beauty as his frame. His complexion was of that deep muddy tinge by which Dean Swift's is said to have been distinguished. He had a dark, glistening, intellectual eye; high arched, and thickly covered brows; strong, uncurled, jet-black

hair, which lay flat upon his forehead and temples. When his thoughts were unoccupied (which was rare) his features were not particularly expressive; but the moment he became animated, there was a rush of mind into his countenance which dilated every fibre, and impressed upon it, a character of peculiar energy and genius.

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### CURRAN AND LORD CLARE.

THE occasional style of their warfare in the court of Chancery, for the little time that Mr. Curran continued to be employed there, may be collected from the following instance. Lord Clare had a favorite dog that sometimes followed him to the bench. One day, during an argument of Mr. Curran's, the chancellor, in the spirit of habitual petulance which distinguished him, instead of attending to the argument, turned his head aside, and began to fondle the dog. The counsel stopped suddenly in the middle of a sentence—the judge started. “I beg pardon,” said Mr. Curran, “I thought your lordships had been in consultation; but as you have been pleased to resume your attention allow me to impress upon your excellent understandings, that”—&c.

## MR. CURRAN AND JUDGE ROBINSON.

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MR. CURRAN having observed in some case before judge Robinson, "that he had never met the law as laid down by his lordship, in any book in *his* library." "That may be, sir," said the judge, in an acrid contemptuous tone; "but I suspect that *your* library is very small." His lordship, who, like too many of that time, was a party zealot, was known to be the author of several anonymous political pamphlets, which were chiefly conspicuous for their despotic principles and excessive violence. The young barrister, roused by the sneer at his circumstances, replied that true it was that his library might be small, but he thanked heaven that, among his books, there were none of the wretched productions of the frantic pamphleteers of the day. "I find it more instructive, my lord, to study good works than to compose bad ones; my books may be few, but the title-pages give me the writers' names: my shelf is not disgraced by any of such rank absurdity that their very authors are ashamed to own them." He was here interrupted by the judge, who said, "Sir, you are forgetting the respect which you owe to the dignity of the judicial character."—"Dignity!" exclaimed Mr. Curran; "my lord, upon that point I shall cite you a case from a book of some authority, with which you are perhaps not unacquainted. A poor Scotchman, upon his arrival in London, thinking him-

self insulted by a stranger, and imagining that he was the stronger man, resolved to resent the affront, and taking off his coat, delivered it to a bystander to hold; but having lost the battle, he turned to resume his garment, when he discovered that he had unfortunately lost that also, that the trustee of his habiliments had decamped during the affray. So, my lord, when the person who is invested with the dignity of the judgment-seat, lays it aside for a moment, to enter into a disgraceful personal contest, it is vain, when he has been worsted in the encounter, that he seeks to resume it—it is in vain that he endeavors to shelter himself from behind an authority, which he has abandoned.”

Judge Robinson.—“If you say another word, sir, I’ll commit you.”

Mr. Curran.—“Then, my lord, it will be the best thing you’ll have committed this term.”

The judge did not commit him; but he was understood to have solicited the bench to interfere, and make an example of the advocate by depriving him of his gown, and to have received so little encouragement, that he thought it most prudent to proceed no further in the affair.



## MR. CURRAN'S EARLY EFFORTS.

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HE has been frequently alluded to as one of the many examples in the history of the bar, of the highest talents remaining for a long time unknown and unrewarded. This, however, was not the fact: so general was the reputation of his abilities, and so numerous his personal friends, that he became employed immediately, and to an extent that is very unusual with those, who, like him, have solely depended upon their own exertions, and upon accidental support.

The failure of Mr. Curran's first attempt at speaking has been mentioned: a more singular instance of that nervousness which so frequently accompanies the highest capacity, occurred to him upon his debut in the courts. The first brief that he held was in the court of Chancery; he had only to read a short sentence from his instructions, but he did it so precipitately and inaudibly, that the chancellor, Lord Lifford, requested of him to repeat the words, and to raise his voice: upon this his agitation became so extreme that he was unable to articulate a syllable; the *brief dropped from his hands*, and a friend who sat beside him was obliged to take it up and read the necessary passage.

## MR. CURRAN'S

### FIRST ATTEMPT AT ORATORY.

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It was during his attendance at the temple that Mr. Curran made the first trial of his rhetorical powers. He frequented a debating society that was composed of his fellow-students. His first attempt was unsuccessful, and for the moment quite disheartened him. He had had from his boyhood a considerable precipitation and confusion of utterance, from which he was denominated by his school-fellows "stuttering Jack Curran." This defect he had labored to remove, but the cure was not yet complete. From the agitation of a first effort he was unable to pronounce a syllable; and so little promise did there appear of his shining as a speaker, that his friend Apjohn said to him, "I have a high opinion of your capacity; confine yourself to the study of law, and you will to a certainty become an eminent chamber-counsel, but, depend upon it, nature never intended you for an orator." Fortunately for his fame, this advice was disregarded: he continued to attend the above and other debating clubs, at one of which, during a discussion, some personal and irritating expressions having been levelled at him, his indignation, and along with his talent, was roused. Forgetting all his timidity and hesitation, he rose against his assailant, and, for the first time, revealed to his hearers

and to himself that style of original and impetuous oratory, which he afterwards improved into such perfection, and which now bids fair to preserve his name. He used often to entertain his friends by detailing this event of his mind's having "burst the shell." The following was the manner in which he once related it; for one of the great charms of his colloquial powers was the novelty that he could give to the same facts upon every repetition: he adorned a favorite anecdote; as a skilful musician would a favorite air, by an endless variety of unpremeditated *ad libitum* graces.

One day after dinner, an acquaintance, in speaking of his eloquence, happened to observe that it must have been born with him. "Indeed, my dear sir," replied Mr. Curran, "it was not; it was born three and twenty years and some months after me; and, if you are satisfied to listen to a dull historian, you shall have the history of its nativity.

"When I was at the Temple, a few of us formed a little debating club—poor Apjohn, and Duhigg,\* and the rest of them! they have all disappeared from the stage; but my own busy hour will soon be fretted through, and then we may meet again behind the scenes. Poor fellows! they are now at rest; but I still can see them, and the glow of honest bustle on their looks, as they arranged their little plan of honorable association (or, as Pope would say, 'gave their little senate laws,') where all the great questions in ethics and politics (there were no gagging-bills in those days) were to be discussed and irrevocably settled. Upon

\* The late B. T. Duhigg, Esq. of the Irish bar.

the first night of our assembling, I attended, my foolish heart throbbing with the anticipated honor of being styled 'the learned member that opened the debate,' or 'the *very* eloquent gentleman who has just sat down.' All day the coming scene had been flitting before my fancy, and cajoling it; my ear already caught the glorious melody of 'hear him, hear him!' Already I was practising how to steal a cunning side-long glance at the tear of generous approbation bubbling in the eyes of my little auditory; never suspecting, alas! that a modern eye may have so little affinity with moisture that the finest gunpowder may be dried upon it. I stood up—the question was Catholic claims or the slave trade, I protest I now forget which, but the difference you know, was never very obvious—my mind was stored with about a folio volume of matter, but I wanted a preface, and for want of a preface the volume was never published. I stood up, trembling through every fibre; but remembering that in this I was but imitating Tully, I took courage, and had actually proceeded almost as far as 'Mr. Chairman,' when to my astonishment and terror, I perceived that every eye was riveted upon me. There were only six or seven present, and the little room could not have contained as many more; yet was it, to my panic-struck imagination, as if I were the central object in nature, and assembled millions were gazing upon me in breathless expectation. I became dismayed and dumb; my friends cried 'hear him!' but there was nothing to hear. My lips, indeed, went through the pantomime of articulation, but I was like the unfortunate fiddler at the fair, who upon coming to strike up the solo that



was to ravish every ear, discovered that an enemy had maliciously soaped his bow; or rather like poor Punch as I once saw him, (and how many like him have I seen in our old house of commons! but it is dead, and let us not disturb its ashes) grimacing a soliloquy, of which his prompter behind had most indiscreetly neglected to administer the words. So you see, sir, it was not born with me. However, though my friends, even Apjohn, the most sanguine of them, despaired of me, the *cacoethes loquendi* was not to be subdued without a struggle. I was for the present silenced, but I still attended our meetings with the most laudable regularity, and even ventured to accompany the others to a more ambitious theatre, 'the Devils of Temple Bar;' where truly may I say, that many a time the Devil's own work was going forward. Here, warned by fatal experience that a man's powers may be overstrained, I at first confined myself to a simple 'ay' or 'no,' and, by dint of practice and encouragement, brought my tongue to recite these magical elements of parliamentary eloquence with 'such sound emphasis and good discretion,' that in a fortnight's time I had completed my education for the Irish senate.

"Such was my state, the popular throb just beginning to revisit my heart, when a long expected remittance arrived from Newmarket; Apjohn dined with me that day, and when the leg of mutton, or rather the bone, was removed, we offered up the libation of an additional glass of punch for the health and length of days (and heaven heard the prayer) of the kind mother that had remembered the necessities of her absent child. In the evening we repaired to 'the Devils.'



One of them was upon his legs; a fellow of whom it was impossible to decide, whether he was most distinguished by the filth of his person or by the flippancy of his tongue; just such another as Harry Flood would have called 'the highly gifted gentleman with the dirty cravat and greasy pantaloons.\*' I found this learned personage in the act of calumniating chronology by the most preposterous anachronisms, and (as I believe I shortly after told him) traducing the illustrious dead by affecting a confidential intercourse with them, as he would with some nobleman, *his very dear friend*, behind his back, who, if present, would indignantly repel the imputation of so insulting an intimacy. He descanted upon Demosthenius, the glory of the Roman forum; spoke of Tully as the famous cotemporary and rival of Cicero; and in the short space of one half hour, transported the straits of Marathon three several times to the plains of Thermopylæ. Thinking that I had a right to know something of these matters, I looked at him with surprise; and whether it was the money in my pocket, or my classical chivalry, or most probably the supplemental tumbler of punch, that gave my face a smirk of saucy confidence, when our eyes met there was something like wager of battle in mine; upon which the erudite gentleman instantly changed his invective against antiquity into an invective against me, and concluded by a few words of friendly counsel

\* Mr. Currah here alluded to the celebrated Mr. Flood's custom of distinguishing the speakers at the London debating societies by such ludicrous descriptions of their dress, as "the eloquent friend to reform in the threadbare coat," "the able supporter of the present ministry with the new pair of boots," &c.

(*horresco referens*) to 'orator mum,' who he doubted not possessed wonderful talents for eloquence, although he would recommend him to show it in future by some more popular method than his silence. I followed his advice, and I believe not entirely without effect; for when upon sitting down, I whispered my friend, that I hoped he did not think my dirty antagonist had come 'quite clean off!' 'On the contrary, my dear fellow,' said he, 'every one around me is declaring that it is the first time they ever saw him so well dressed.' So, sir, you see that to try the bird, the spur must touch his blood."

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## CURRAN'S

### BON MOTS AND WITTICISMS.

AN entire collection of the *bon mots* attributed to Mr. Curran would fill many pages. The following are selected as a few specimens. In all of them it will be seen how much less the essence depends upon the satire than upon the fanciful combination of words or images.

Mr. Curran was engaged in a legal argument—behind him stood his colleague, a gentleman whose person was remarkably tall and slender, and who had originally designed to take orders. The judge observing that the case under discussion involved a question of ecclesiastical law—"Then," said Mr. Curran, "I can refer your lordship to a high authority behind me, who was once intended for the *church*, though

(*in a whisper to a friend beside him*) in my opinion he was fitter for the *steeple*."

An officer of one of the courts, named Halfpenny, having frequently interrupted Mr. Curran, the judge peremptorily ordered him to be silent and sit down. "I thank your lordship," said the counsel, "for having at length *nailed that rap to the counter*."

"I can't tell you, Curran," observed an Irish nobleman who had voted for the Union, how frightful our old house of commons appears to me." "Ah! my lord," replied the other, "it is only natural for murderers to be afraid of ghosts."

A deceased judge had a defect in one of his limbs, from which, when he walked, one foot described almost a circle round the other. Mr. Curran being asked how his lordship still contrived to walk so fast, answered—"don't you see that one leg goes before like a tip-staff, and clears the way for the other?"

Mr. Curran, cross-examining a horse-jockey's servant, asked his master's age. "I never put my hand in his mouth to try," answered the witness. The laugh was against the counsel, till he retorted—"you did perfectly right, friend, for your master is said to be a *great bite*."

A miniature painter, upon his cross-examination by Mr. Curran was made to confess that he had carried his improper freedoms with a particular lady so far as to attempt to put his arm round her waist. "Then, sir," said the counsel, "I suppose you took that waist (*waste*) for a *common*."

"No man," said a wealthy, but a weak-headed barrister, "should be admitted to the bar, who has not an

independent landed property." "May I ask, sir," said Mr. Curran, "how many acres make a *wise-acre*?"

"Would you not have known this boy to be my son, from his resemblance to me?" asked a gentleman. Mr. Curran answered—"Yes, sir; the maker's name is stamped upon the *blade*."

Mr. Curran was asked what an Irish gentleman, just arrived in England, could mean by perpetually putting out his tongue? Answer,—“I suppose he's trying to *catch the English accent*."

At a public dinner he was defending his countrymen against the imputation of being a naturally vicious race. "Many of our faults, for instance," said he, "arise from our too free use of the circulating medium (*pointing to the wine*,) but I never heard of an Irishman being *born drunk*."

He was fond of giving ludicrous appellations to the places and persons around him. His friend, Mr. Hudson the dentist's house, was built in "the Tuscan order;" a celebrated snuff manufacturer's country seat was "Sneeze town;" the libraries at watering places were "slopshops of literature." He called a commander of yeomanry (who dealt largely in flour) "Marshall Sacks;" a lawyer of a corpulent frame, "Grotius;" another who had a habit of swelling out his cheeks, "Puffendorf." He often humorously remonstrated with a friend, who was of a very tall stature, and with whom, as one of his "very longest acquaintances," he used that freedom, "upon his want of decorum in going about and peeping down the chimneys, to see what his neighbors were to have for dinner." This list might be extended to a greater length than would be necessary or suitable.



## HORNE TOOKE'S

### COMPARISON OF THE WIT OF CURRAN AND SHERIDAN.

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MR. HORNE TOOKE, after having passed an evening in the company of Mr. Curran and the late Mr. Sheridan, whom he had, upon that occasion, for the first time, met together, was asked his opinion of the wit of each. He replied that "Sheridan's was like steel highly polished, and sharpened for display and use; that Curran's was a mine of virgin gold, incessantly crumbling away from its own richness."

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## MADAME DE STAEL'S

### ESTIMATE OF CURRAN'S COLLOQUIAL POWERS.

THE celebrated Madame De Stael, who, during her last residence in England, was surrounded by persons the most distinguished for talent, frequently observed that she had been most struck by the originality and variety of Mr. Curran's colloquial powers. This was in 1813, when his health and spirits were in a state of depression, which rendered the effort to support his part in such company a painful exertion.



## LAST DAYS AND DEATH OF CURRAN.

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A FEW days before his last illness he dined with his friend, the late Mr. Thomas Thompson. After dinner he was for a while cheerful and animated, but some allusion having been made to Irish politics, he instantly hung down his head, and burst into tears. On the 7th of October, a swelling appeared over one of his eyes, to which, attributing it to cold, he gave little attention. On the night of the 8th, he was attacked by apoplexy. He was attended by two eminent physicians, Doctors Badham and Ainslie, and by Mr. Tegart, of Pall Mall, all of whom pronounced his recovery to be impossible. The utmost efforts of their skill could not protract his existence many days. Mr. Curran expired at nine o'clock at night on the 14th of October, 1817, in the 68th year of his age. During his short illness, he appeared entirely free from pain; he was speechless from the commencement of the attack, and with the exception of a few intervals, quite insensible. His last minutes were so placid that those who watched over him could not mark the exact moment of expiration. Three of his children, his son-in-law, and daughter-in-law, and his old and attached friend, Mr. Godwin, surrounded his death-bed, and performed the last offices of piety and respect.

## PASSAGES AND ANECDOTES

IN THE LIFE OF

LORD EDWARD FITZGERALD.

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It may not perhaps, appear altogether ill-timed to mention in this place, that when Lord Edward lay suffering under the fatal wounds of which he died in 1798, a military man connected with government, who had known him at this time in Charleston, happening to allude, during a visit to him in prison, to the circumstances under which they had first become acquainted, the gallant sufferer exclaimed—"Ah! I was wounded then in a very different cause; that was in fighting *against* liberty—this, in fighting *for* it."

It is, indeed, not a little striking that there should have been engaged at this time, on opposite sides, in America, two noble youths, Lafayette and Lord Edward Fitzgerald, whose political principles afterward so entirely coincided; and that, while one of them was fated soon to become the victim of an unsuccessful assertion of these principles, it has been the far brighter destiny of the other to contribute, more than once, splendidly to their triumph.

## LORD EDWARD FITZGERALD'S

### FIRST VIEW OF HIS FUTURE WIFE.

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LORD EDWARD being at one of the theatres of Paris, he saw, through a *loge grillée* near him, a face with which he was exceedingly struck, as well from its own peculiar beauty, as from the strong likeness the features bore to those of a lady, then some months dead, for whom he was known to have entertained a very affectionate regard. On inquiring who the young person was that had thus riveted his attention, he found it was no other than the very Pamela, of whose beauty he had heard so much—the adopted, or (as may now be said without scruple) actual daughter of Madame de Genlis by the Duke of Orleans. Instantly, all his prepossessions against the learned mother vanished; an acquaintance, from that very night, I believe, commenced between them, and he was seldom after seen absent from the fair Pamela's side.

In some natures, love is a fruit that ripens quickly; and that such was its growth in Lord Edward's warm heart the whole history of his life fully testifies. In the present instance, where there was so much to interest and attract on both sides, a liking felt by either could not fail to become reciprocal. The perfect disinterestedness, too, of the young soldier, threw at once out of consideration a difficulty that might have

checked more worldly suitors; and, in somewhat less than a month after their meeting at Paris, Mademoiselle Sims (the name by which Madame de Genlis had chosen to designate her daughter) became Lady Edward Fitzgerald.

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## EXHIBITION OF PERSONAL COURAGE

BY

LORD EDWARD FITZGERALD.

THERE took place on the Curragh of Kildare, a well known rencontre between his lordship and some dragoon officers, which,—like most other well known anecdotes that the biographer has to inquire into,—receives from every new relater a wholly different form. The following, however, are, as nearly as possible, the real circumstances of the transaction. Mr. Arthur O'Connor being at that time on a visit to his noble friend, they rode together, on one of the days of the races, to the Curragh,—Lord Edward having a green silk handkerchief round his neck. It was indeed his practice, at all times (contrary to the usual custom of that day) to wear a colored silk neckcloth,—generally of that pattern which now bears the name of Belcher; but on the present occasion he chose to wear the national, and at that time obnoxious color, green.

At the end of the race, having left the stand house in a canter to return home, the two friends had not proceeded far before they found themselves overtaken by a party of from ten to a dozen officers, who, riding

past them in full gallop, wheeled round, so as to obstruct their passage, and demanded that lord Edward should take off his green cravat. Thus accosted, his lordship answered coolly,—“Your cloth would speak you to be gentlemen; but this conduct conveys a very different impression. As to this neckcloth that so offends you, all I can say is,—here I stand; let any man among you, who dares, come forward and take it off.” This speech, pronounced calmly and deliberately took his pursuers by surprise, and for a moment they look puzzled at each other, doubtful how to proceed, when Mr. O’Connor, interposing, said, that if the officers chose to appoint two out of their number, Lord Edward and himself would be found ready to attend their summons at Kildare. The parties then separated, and during the two following days Lord Edward and his friend waited the expected message. But no further steps were taken by these military gentlemen, on whose conduct rather a significant verdict was passed at a Curragh ball, shortly after, when it was agreed, as I have heard, by all the ladies in the room, not to accept any of them as partners.



MOORE'S RECOLLECTION  
OF  
FITZGERALD.

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WITH Lord Edward I could have no opportunity of forming any acquaintance, but remember (as if it had been but yesterday) having once seen him, in the year 1797, in Grafton street,—when, on being told who he was, as he passed, I ran anxiously after him, desirous of another look at one, whose name had, from my school-days, been associated in my mind with all that was noble, patriotic and chivalrous. Though I saw him but this once, his peculiar dress, the elastic lightness of his step, his fresh, healthful complexion, and the soft expression given to his eyes by their long dark eyelashes, are as present and familiar to my memory as if I had intimately known him. Little did I then think that, at an interval of four-and-thirty years from thence,—an interval equal to the whole span of his life at that period,—I should not only find myself the historian of his mournful fate, but (what to many will appear matter rather of shame than of boast) with feelings so little altered, either as to himself or his cause.

# LORD EDWARD FITZGERALD

AND HIS

## BOOT BLACK.

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THE following anecdote, although in reference to an humble individual—a servant—exhibits our nature in its most amiable and enviable light. This accompaniment of the lowest condition of human life with those virtues which constitute its brightest ornament, is a familiar, and well recognized trait of Irish character. The name should not have been neglected and lost of this poor man of virtue and of principle. The time of the occurrence was of course whilst Lord Edward lay in concealment previous to his arrest, and whilst the government officers were in pursuit of him.

A pair of his (Lord Edward's) boots having been left outside his door to be cleaned, the man-servant to whom they had been given, for that purpose, told his mistress afterward that he knew "who the gentleman up stairs was;—but that she need not fear, for he would die to save him." He then showed her Lord Edward's name, written at full length in one of the boots. Thinking it possible that after such a discovery, her guest might deem it dangerous to remain, Mrs. — mentioned the circumstance to him. But his fears were not easily awakened:—"What a noble fellow!" he exclaimed, "I should like to have some talk with him."

In the hope that it might be an incitement to the man's fidelity, the lady told him his lordship's wish; but he answered, "No,—I will not look at him—for, if they should take me up, I can then, you know, swear that I never saw him."

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## THE ARREST

OF

### LORD EDWARD FITZGERALD.

As Mr. Murphy was standing within his gateway, there came a woman from Moore's with a bundle which, without saying a word, she put into his hands, and which, taking for granted that it was for Lord Edward, he carried up to his lordship. It was found to contain a coat, jacket, and trousers of dark green edged with red, together with a handsome military cap, of a conical form. At the sight of this uniform, which for the first time led him to suspect that a rising must be at hand, the fears of the already nervous host were redoubled; and on being desired by Lord Edward to put it somewhere out of sight, he carried the bundle to a loft over one of his warehouses, and there hid it under some goatskins, whose offensiveness he thought, would be a security against search.

About the middle of the day an occurrence took place, which, from its appearing to have some connexion with the pursuit after himself, excited a good deal of apprehension in his lordship's mind. A ser-

geant-major, with a party of soldiers, had been seen to pass up the street, and were, at the moment when Murphy ran to apprise his guest of it, halting before Moore's door. This suspicious circumstance, indicating as it seemed, some knowledge of his haunts, startled Lord Edward, and he expressed instantly a wish to be put in some place of secrecy; on which Murphy took him out on the top of the house, and laying him down in one of the valleys formed between the roofs of his warehouses, left him there for some hours. During the excitement produced in the neighborhood by the appearance of the soldiers, Lord Edward's officious friend Neilson was, in his usual flighty and inconsiderate manner, walking up and down the street, saying occasionally, as he passed, to Murphy, who was standing in his gateway—"Is he safe?" "Look sharp."

While this anxious scene was passing in one quarter, treachery—and it is still unknown from what source—was at work in another. It must have been late in the day that information of his lordship's hiding place reached the government, as Major Sirr did not receive his instructions on the subject till but a few minutes before he proceeded to execute them. Major Swan and Mr. Ryan (the latter of whom volunteered his services) happened to be in his house at the moment; and he had but time to take a few soldiers, in plain clothes, along with him—purposing to send, on his arrival in Thomas-street, for the pickets of infantry and cavalry in that neighbourhood.

To return to poor Lord Edward:—as soon as the alarm produced by the soldiers had subsided, he ven-

tured to leave his retreat, and resume his place in the back drawing room—where, Mr. Murphy having invited Neilson to join them, they soon after sat down to dinner. The cloth had not been many minutes removed, when Neilson, as if suddenly recollecting something, hurried out of the room and left the house; shortly after which Mr. Murphy, seeing that his guest was not inclined to drink any wine, went down stairs. In a few minutes after, however, returning, he found that his lordship had, in the interim, gone up to his bedroom, and, on following him thither, saw him lying, without his coat, upon the bed. There had now elapsed from the time of Neilson's departure not more than ten minutes, and it is asserted that he had, in going out, left the hall-door open.

Mr. Murphy had but just begun to ask his guest whether he would like some tea, when, hearing a trampling on the stairs, he turned round, and saw Major Swan enter the room. Scarcely had this officer time to mention the object of his visit, when Lord Edward jumped up, as Murphy describes him, "like a tiger," from the bed, on seeing which, Swan fired a small pocket-pistol at him, but without effect; and then, turning round short upon Murphy, from whom he seemed to apprehend an attack, thrust the pistol violently in his face, saying to a soldier, who just then entered, "Take that fellow away." Almost at the same instant, Lord Edward struck at Swan with a dagger, which, it now appeared, he had in the bed with him; and immediately after, Ryan, armed only with a sword-cane, entered the room.

In the meantime, Major Sirr, who had stopped



below to place the pickets round the house, hearing the report of Swan's pistol, hurried up to the landing, and from thence saw, within the room, Lord Edward struggling between Swan and Ryan, the latter down on the floor, weltering in his blood, and both clinging to their powerful adversary, who was now dragging them towards the door. Threatened, as he was, with a fate similar to that of his companions, Sirr had no alternative but to fire, and, aiming his pistol deliberately, he lodged the contents in Lord Edward's right arm, near the shoulder. The wound for a moment staggered him; but, as he again rallied, and was pushing towards the door, Major Sirr called up the soldiers; and so desperate were their captive's struggles, that they found it necessary to lay their firelocks across him before he could be disarmed or bound so as to prevent further mischief.

It was during one of these instinctive efforts of courage that the opportunity was, as I understand, taken by a wretched drummer to give him a wound in the back of the neck, which, though slight, yet, from its position, contributed not a little to aggravate the uneasiness of his last hours. There are also instances mentioned of rudeness, both in language and conduct, which he had to suffer while in this state from some of the minor tools of government, and which, even of such men, it is painful and difficult to believe. But so it is,

“Curs snap at lions in the toils, whose looks  
Frighted them being free.”

It being understood that Doctor Adreen, a surgeon

of much eminence, was in the neighborhood, messengers were immediately despatched to fetch him, and his attention was called to the state of the three combatants. The wounds of Major Swan, though numerous, were found not to be severe; but Mr. Ryan was in a situation that gave but little hope of recovery. When, on examining Lord Edward's wound, Adreen pronounced it not to be dangerous, his lordship calmly answered, "I'm sorry for it."

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## OPINIONS OF EMINENT MEN

ON THE CHARACTER OF

LORD EDWARD FITZGERALD.

"Laudari a viro laudato."

I KNEW Fitzgerald but very little, but I honor and venerate his character which he has uniformly sustained, and in this last instance, illustrated. What miserable wretches by his side are the gentry of Ireland! I would rather be Fitzgerald, as he is now, wounded in his dungeon, than Pitt at the head of the British empire. What a noble fellow! Of the first family in Ireland, with an easy fortune, a beautiful wife and a family of lovely children, the certainty of a splendid appointment under government if he would condescend to support their measures, he has devoted himself wholly to the emancipation of his country, and sacrificed every thing to it, even to his blood."—*Diary of Theobald Wolfe Tone.*

As I suspected, the brave and unfortunate Fitzgerald was meditating an attack on the capitol, which was to have taken place a few days after that on which he was arrested. He is since dead in prison; his career is finished gloriously for himself, and whatever be the event, his memory will live forever, in the heart of every honest Irishman.—*Ibid.*

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*Sir J. Parnell.* Mr. Emmet, while you and the executive were philosophizing, Lord Edward Fitzgerald was arming and disciplining the people.

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*Emmet.* Lord Edward was a military man, and if he was doing so, he probably thought that was the way in which he could be most useful to the country; but I am sure that if those with whom he acted were convinced that the grievances of the people were redressed, and that force was become unnecessary, he would have been persuaded to drop all arming and disciplining.

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*Mr. J. C. Beresford.* I knew Lord Edward well, and always found him very obstinate.

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*Emmet.* I knew Lord Edward right well, and have done a great deal of business with him, and have always found, when he had a reliance on the integrity and talents of the person he acted with, he was one of the most persuadable men alive; but if he thought a man meant dishonestly or unfairly by him, he was as obstinate as a mule.—*Report of Evidence before the Secret Committee of the House of Commons.*

The Irish nation could not sustain a greater misfortune in the person of any one individual than befel it in the loss of Fitzgerald at that critical moment. Even his enemies, and he had none but those of his country, allowed him to possess distinguished military talents. With these, with unquestioned intrepidity, republicanism, and devotion to Ireland, with popularity that gave him unbounded influence, and integrity that made him worthy of the highest trust, had he been present in the Irish camp to organize discipline, and give to the valor of his country a scientific direction, we should have seen the slaves of monarchy fly before the republicans of Ireland, as they did before the patriots of America. And if at last the tears of his countrymen had been constrained to lament his fate they would have been received on the laurels of his tomb.—*Dr. Macneven.*

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If Lord Edward had been actuated in political life, by dishonorable ambition, he had only to cling to his great family connexions and parliamentary influence. They unquestionably would have advanced his fortunes and gratified his desires. The voluntary sacrifices he made, and the magnanimous manner in which he devoted himself to the independence of Ireland, are incontestible proofs of the purity of his soul.—*Ibid.*

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Lord Edward had served with reputation, in the nineteenth regiment during a great part of the American war, and on many occasions had displayed great valor and considerable abilities as an officer. When in the army he was considered as a man of honor and humanity, and was much esteemed by his brother offi-



cers for his frankness, courage and good nature—qualities which he was supposed to possess in a very high degree.—*Sir Richard Musgrave, History of the Irish Rebellion.*

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Lord Edward Fitzgerald, whose name I never mention without anxiety and grief, and of whom I wish to speak with as much tenderness as possible.—*Speech of the Attorney General (Toler) on Bond's Trial.*

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The allusion in the following passage of Mr. Curran's speech, to the amiable character of Lord Edward Fitzgerald, will lose much of its force to those who have heard nothing of that unfortunate nobleman except his fate. His private excellencies were so conspicuous that the officer of the crown, who moved for leave to bring in the bill of attainder, could not refrain from bearing ample testimony to them: "His political offences he could not mention without grief; and, were it consistent with the principles of public justice, he would wish that the recording angel should let fall a tear and wash them out for ever."—*Curran's Life, by his son.*

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But ere we fight, go call at Edward's tomb, cry in his ears, bid him who sleeps to wake, bid him to rise and fight his enemies. Brave as the lion, gentler than the lamb, the sparkling jewel of an ancient house, the noblest blood of any in our land ran through his veins. He hears you not; he sleeps to wake no more! Of all his country, and of all he owned, there rests no more to him than the cold grave he lies in!



Oh gallant, gallant Edward! fallen in the flower of youth and pride of manly beauty; had you lived to see your country free, the proudest conqueror that wears a sword dared not invade it.

Go call his children by their noble sire to come and fight the battles of their country. What sire? What country? They have no father, for you murdered him! They have no country but the green sod that rests upon his grave! You robbed their guiltless infancy, tainted their innocent blood, plundered their harmless cradles.—*From the Memoirs of Wm. Sampson.*

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There is, however, one among the many tributes to his military character, which it would be unjust to omit,—that of the celebrated Mr. William Cobbett, who was, at the time of which we are speaking, serjeant-major of the 54th, and had even then, it is said, made himself distinguished by the vigor of his talents. To Lord Edward's kindness, Mr. Cobbett owed his subsequent discharge from the army;\* and, in the year 1800, as he himself tells us, while dining one day with Mr. Pitt, on being asked by that statesman some questions respecting his former officer, he answered, that "Lord Edward was a most humane and excellent man, and the only *really honest* officer he ever knew in the army."

\* "I got my discharge from the army by the great kindness of poor Lord Edward Fitzgerald, who was then major of my regiment."—*Cobbett's Advice to Young Men.*

## RICHARD BRINSLEY SHERIDAN.

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### SCHOOL FOR SCANDAL.

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It was the fate of Mr. Sheridan, through life,—and, in a great degree, perhaps, his policy,—to gain credit for excessive indolence and carelessness, while few persons, with so much natural brilliancy of talents, ever employed more art and circumspection in their display. This was the case, remarkably, in the instance before us. Notwithstanding the labor which he bestowed upon this comedy, (or we should rather, perhaps, say in consequence of that labor,) the first representation of the piece was announced before the whole of the copy was in the hands of the actors. The manuscript, indeed, of the five last scenes bears evident marks of this haste in finishing,—there being but one rough draught of them, scribbled upon detached pieces of paper; while, of all the preceding acts, there are numerous transcripts, scattered promiscuously through six or seven books, with new interlineations and memorandums to each. On the last leaf of all, which exists just as we may suppose it to have been despatched by him to the copyist, there is the following curious specimen of doxology, written hastily, in the hand-writing of the respective parties at the bottom:—

“Finished at last, thank God!

“R. B. SHERIDAN.

“Amen!

“W. HOPKINS.”\*

\* The prompter.

## MR. SHERIDAN'S

### FIRST SPEECH IN PARLIAMENT.

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HE made his first speech in parliament on the 20th of November 1780, when a petition was presented to the house, complaining of the undue election of the sitting members (himself and Mr. Monckton) for Stafford. It was rather lucky for him that the occasion was one in which he felt personally interested, as it took away much of that appearance of anxiety for display, which might have attended his first exhibition upon any general subject. The fame, however, which he had already acquired by his literary talents, was sufficient, even on this question, to awaken all the curiosity and expectation of his audience; and accordingly we are told in the report of his speech, that "he was heard with particular attention, the house being uncommonly still while he was speaking." The indignation, which he expressed on this occasion at the charges brought by the petition against the electors of Stafford, was coolly turned into ridicule by Mr. Rigby, paymaster of the forces. But Mr. Fox, whose eloquence was always ready at the call of good-nature, and, like the shield of Ajax, had "ample room and verge enough," to protect not only himself but his friends, came promptly to the aid of the young orator; and, in reply to Mr. Rigby, observed, that "though those ministerial members, who chiefly robbed and plundered their constituents, might

afterwards affect to despise them, yet gentlemen who felt properly the nature of the trust allotted to them, would always treat them and speak of them with respect."

It was on this night, as Woodfall used to relate, that Mr. Sheridan, after he had spoken, came up to him in the gallery, and asked, with much anxiety, what he thought of his first attempt. The answer of Woodfall, as he had the courage afterwards to own, was, "I am sorry to say I do not think that this is your line—you had much better have stuck to your former pursuits." On hearing which, Sheridan rested his head upon his hand for a few minutes, and then vehemently exclaimed, "It is in me, however, and, by G—, it shall come out."

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## SHERIDAN

AND

## MR. PAYMASTER RIGBY.

MR. RIGBY, who was paymaster of the forces, spoke generally against the war with America, but voted in favor of it. Mr. Sheridan in one of his speeches adverted to this circumstance in the following felicitous manner.

"The right honorable gentleman, however, had acted in this day's debate with perfect consistency. He had assured the house that he thought the noble lord ought to resign his office, and yet he would give his vote for his remaining in it. In the same manner he had long declared, that he thought the American war ought to

be abandoned, yet he had uniformly given his vote for its continuance. He did not mean, however, to insinuate any motives for such conduct;—he believed the right honorable gentleman to have been sincere; he believed that as a member of parliament, as a privy counsellor, as a private gentleman, he had always detested the American war as much as any man, but that he had never been able to persuade the paymaster that it was a bad war; and unfortunately in whatever character he spoke, it was the paymaster who always voted in that house.”



## MR. SHERIDAN'S SPEECH

UPON THE CHARGE RELATIVE TO THE

### BEGUM PRINCES OF OUDE.

ON the 7th day of February, 1787, Mr. Sheridan delivered his celebrated speech upon the above subject. The following are the expressed opinions of those who heard it, as to its transcendant merit:

Mr. Burke declared it to be “the most astonishing effort of eloquence, argument and wit united, of which there was any record or tradition.”

Mr. Fox said, “All that he had ever heard, all that he had ever read, when compared with it, dwindled into nothing, and vanished like vapor before the sun.”



Mr. Pitt acknowledged "that it surpassed all the eloquence of ancient and modern times, and possessed every thing that genius or art could furnish to agitate and control the human mind."

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There were several other tributes of a less distinguished kind, of which I find the following account in the Annual Register:

"Sir William Dolbin immediately moved an adjournment of the debate, confessing that in the state of mind in which Mr. Sheridan's speech had left him, it was impossible for him to give a determinate opinion. Mr. Stanhope seconded the motion. When he had entered the house he was not ashamed to acknowledge that his opinion inclined to the side of Mr. Hastings. But such had been the wonderful efficacy of Mr. Sheridan's convincing detail of facts, and irresistible eloquence, that he could not but say that his sentiments were materially changed. Nothing, indeed, but information almost equal to a miracle could determine him not to vote for the charge; but he had just felt the influence of such a miracle, and he could not but ardently desire to avoid an immediate decision. Mr. Matthew Montagu confessed that he had felt a similar revolution of sentiment."

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The late Mr. Logan, well known for his literary efforts, and author of a most masterly defence of Mr. Hastings, went that day to the house of commons, prepossessed for the accused and against his accuser. At the expiration of the first hour he said to a friend, "All this is declamatory assertion without proof;"

when the second was finished, "This is a most wonderful oration;" at the close of the third, "Mr Hastings has acted very unjustifiably;" the fourth, "Mr. Hastings is a most atrocious criminal," and at last, "Of all monsters of iniquity the most enormous is Warren Hastings!"

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Mr. Burke's opinion on Sheridan's speech on bringing forward in Westminster Hall the articles of impeachment against Warren Hastings: "Of all the various species of oratory, of every kind of eloquence that had been heard, either in ancient or modern times; whatever the acuteness of the bar, the dignity of the senate, or the morality of the pulpit could furnish, had not been equal to what that house had that day witnessed in Westminster Hall. No holy religionist, no man of any description as a literary character, could have come up, in the one instance, to the pure sentiments of morality, or in the other, to the variety of knowledge, force of imagination, propriety and vivacity of allusion, beauty and elegance of diction, and strength of expression, to which they had that day listened. From poetry up to eloquence there was not a species of composition of which a complete and perfect specimen might not have been culled, from one part or the other of the speech to which he alluded, and which, he was persuaded, had left too strong an impression on the minds of that house to be easily obliterated."

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Mr. Gibbons, in his memoirs, says, "Before my departure from England I was present at the august spectacle of Mr. Hastings' trial, in Westminster Hall.

It is not my province to absolve or condemn the governor of India; but Mr. Sheridan's eloquence demanded my applause, nor could I hear without emotion, the personal compliment which he paid me in the presence of the British nation."

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### SHERIDAN AND RICHARDSON.

THE disputatious humor of Richardson was once turned to account by Sheridan in a very characteristic manner. Having had a hackney coach in employ for five or six hours, and not being provided with the means of paying it, he happened to espy Richardson in the street, and proposed to take him in the coach some part of his way. The offer being accepted, Sheridan lost no time in starting a subject of conversation, on which he knew his companion was sure to become argumentative and animated. Having, by well-managed contradiction, brought him to the proper pitch of excitement, he affected to grow impatient and angry himself, and saying that he could not think of staying in the same coach with a person that would use such language," pulled the check-string, and desired the coachman to let him out. Richardson, wholly occupied with the argument, and regarding the retreat of his opponent as an acknowledgment of defeat, still pressed his point, and even hallooed "more last words" through the coach-window after Sheridan, who, walking quietly home, left the poor disputant responsible for the heavy fare of the coach.

## LORD BYRON'S OPINION OF SHERIDAN.

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“*Saturday, December 18, 1813.*

“LORD HOLLAND told me a curious piece of *sentimentality* in Sheridan. The other night we were all delivering our respective and various opinions on him and other ‘*hommes marquans*,’ and mine was this: ‘Whatever Sheridan has done or chosen to do, has been *par excellence*, always the *best* of its kind. He has written the *best* comedy, (School for Scandal,) the *best* opera, (the Duenna—in my mind before that St. Giles’ lampoon, the Beggar’s Opera,) the *best* farce, (the Critic—it is only too good for an after-piece,) and the *best* address, (Monologue on Garrick,)—and, to crown all, delivered the very *best* oration, (the famous Begum Speech,) ever conceived, or heard in this country.’ Somebody told Sheridan this the next day, and on hearing it, he burst into tears!—Poor Brinsley! If they were tears of pleasure, I would rather have said those few, but sincere words, than have written the Iliad, or made his own celebrated Philippic. Nay, his own comedy never gratified me more than to hear that he had derived a moment’s gratification from any praise of mine—humble as it must appear to ‘my elders and my betters.’”

## SHERIDAN'S DISTRESSES.

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THE distresses of Sheridan now increased every day, and through the short remainder of his life it is a melancholy task to follow him, the sum arising from the sale of his theatrical property, was soon exhausted by the various claims upon it, and he was driven to part with all that he most valued to satisfy further demands, and provide for the subsistence of the day. Those books which, as I have already mentioned, were presented to him by various friends, now stood in their splendid bindings, on the shelves of the pawnbroker. The handsome cup, given him by the electors of Stafford, shared the same fate. Three or four fine pictures by Gainsborough, and one by Morland, were sold for little more than five hundred pounds; and even the precious portrait of his first wife, by Reynolds, though not actually sold during his life, vanished away from his eyes into other hands.

One of the most humiliating trials of his pride was yet to come. In the spring of this year he was arrested and carried to a spunging-house, where he remained two or three days. This abode formed a sad contrast to those princely halls, of which he had so lately been the most brilliant and favored guest, and which were possibly, at that very moment, lighted up and crowded with gay company, unmindful of him within those prison walls.



Even in this situation the sanguineness of his disposition did not desert him, for he was found by Mr. Whitbread, on his visit to the spunging-house, confidently calculating on the representation for Westminster, in which the proceedings relative to Lord Cochrane at that moment promised a vacancy. On his return home, however, to Mrs. Sheridan, (some arrangements having been made by Whitbread for his release,) all his fortitude forsook him, and he burst into a long and passionate fit of weeping at the profanation, as he termed it, which his person had suffered.

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### THE LAST DAYS OF MR. SHERIDAN.

THE splendid and glorious career of poor Sheridan closed in penury, and destitution: he expired abandoned, and unvisited by a solitary individual of that thick array of titles, and nobility, that crowded in pageantry, around the hearse that bore to their resting place his earthly remains. So forlorn was his condition that he was arrested, dying in his bed, and, but for the interference of his physician, would have been carried in that state to a spunging-house. To these circumstances in his history the following lines bear allusion. Although characterized, by the modest author as anonymous, their sweetness, brilliancy and polish clearly indicate them as springing from Erin's favorite, and most highly favored muse.

“Oh it sickens the heart to see bosoms so hollow,  
And friendships so false in the great and high born;—  
To think what a long line of Titles may follow  
The relics of him who died friendless and lorn!

“How proud they can press to the funeral array,  
Of him whom they shunn’d, in his sickness and sorrow—  
How bailiffs may seize his last blanket to-day,  
Whose pall shall be held up by nobles to-morrow!”

The anonymous writer thus characterises the talents of Sheridan:—

“Was this then the fate of that high-gifted man,  
The pride of the palace, the bower, and the hall—  
The orator, dramatist, minstrel,—who ran  
Through each mode of the lyre, and was master of all.

“Whose mind was an essence compounded, with art,  
From the finest and best of all other men’s powers;—  
Who rul’d, like a wizard, the world of the heart,  
And could call up its sunshine, or draw down its showers;—

“Whose humor, as gay as the fire-fly’s light,  
Play’d round every subject and shone, as it play’d;—  
Whose wit, in the combat as gentle as bright,  
Ne’er carried a heart stain away on it’s blade;—

“Whose eloquence brightening whatever it tried,  
Whether reason or fancy, the gay or the grave,  
Was as rapid, as deep, and as brilliant a tide,  
As ever bore Freedom aloft on its wave!”

## SHERIDAN AND MR. DUNDAS.

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IN reply to Mr. Dundas, in the house of commons, Sheridan observed "The right honorable gentleman is indebted to his memory for his jests, and to his fancy for his facts."

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## SHERIDAN'S CHARACTER.

MR. MOORE says: "let it never, too, be forgotten, in estimating his character, that had he been less consistent and disinterested in his public conduct, he might have commanded the means of being independent and respectable in private. He might have died a rich apostate, instead of closing a life of patriotism in beggary. He might, (to use a fine expression of his own,) have "hid his head in a coronet," instead of earning for it but the barren wreath of public gratitude. While, therefore, we admire the great sacrifice that he made, let us be tolerant to the errors and imprudences which it entailed upon him; and, recollecting how vain it is to look for any thing unalloyed in this world, rest satisfied with the Martyr, without requiring also, the Saint."

## THEOBALD WOLFE TONE.

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### TONE'S FIRST INTERVIEW WITH HOCHÉ.

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1796, JULY 12. *Battle of Aughrim.* As I was sitting in my cabinet, studying my tactics, a person knocked at the door, who, on opening it, proved to be a dragoon of the third regiment. He brought me a note from Clarke, informing me that the person he mentioned was arrived, and desired to see me at one o'clock. I ran off directly to the Luxembourg, and was shewed into Fleury's cabinet, where I remained till three, when the door opened, and a very handsome well made young fellow, in a brown coat and nankeen pantaloons, entered, and said "*Vous vous etes le citoyen Smith?*"\* I thought he was a chef de bureau, and replied, "*Oui, citoyen, je m'appelle Smith.*"† He said, "*Vous vous appelez, aussi, je crois Wolfe Tone?*"‡ I replied, "*Oui, citoyen, c'est mon veritable nom.*"§ "*Eh bien,*" replied he, "*je suis le General Hoche.*"|| At these words I mentioned that I had for a long time been desirous of the honor I then enjoyed, to find myself in his company; "*Into his arms I soon did fly, and there embracéd him tenderly.*" He then said he presumed I was the author of the memorandums which had been

\* You are citizen Smith.      † Yes, citizen, I call myself Smith.

‡ You are called also, I think, Wolfe Tone.

§ Yes, citizen, that is my true name.    || Well! I am General Hoche.

transmitted to him. I said I was. Well, said he, there are one or two points I want to consult you on. He then proceeded to ask me, in case of the landing being effectuated, might he rely on finding provisions, and particularly bread? I said it would be impossible to make any arrangements in Ireland, previous to the landing, because of the *surveillance* of the Government, but if that were once accomplished, there would be no want of provisions; that Ireland abounded in cattle, and, as for bread, I saw by the Gazette that there was not only no deficiency of corn, but that she was able to supply England, in a great degree, during the late alarming scarcity in that country, and I assured him, that if the French were once in Ireland, he might rely that, whoever wanted bread, they should not want it. He seemed satisfied with this, and proceeded to ask me, might we count upon being able to form a provisory Government, either of the Catholic Committee, mentioned in my memorials, or of the chiefs of the Defenders? I thought I saw an opening here, to come at the number of troops intended for us, and replied, that that would depend on the force which might be landed; if that force were but trifling, I could not pretend to say how they might act, but if it was considerable, I had no doubt of their co-operation. "Undoubtedly," replied he, "men will not sacrifice themselves, when they do not see a reasonable prospect of support; but, if I go, you may be sure I will go in sufficient force." He then asked, did I think ten thousand men would decide them? I answered, undoubtedly, but that early in the business the Minister had spoken to me of two thousand, and that I had replied that such a number



could effect nothing. 'No, replied he, they would be overwhelmed before any one could join them. I replied I was glad to hear him give that opinion, as it was precisely what I had stated to the Minister, and I repeated that, with the force he mentioned, I could have no doubt of support and co-operation sufficient to form a provisory Government. He then asked me what I thought of the Priests, or was it likely they would give us any trouble? I replied I certainly did not calculate on their assistance, but neither did I think they would be able to give us any effectual opposition; that their influence over the minds of the common people was exceedingly diminished of late, and I instanced the case of the Defenders, so often mentioned in my memorials, and in these memorandums. I explained all this, at some length, to him, and concluded by saying, that, in prudence, we should avoid as much as possible shocking their prejudices unnecessarily, and that, with common discretion, I thought we might secure their neutrality at least, if not their support. I mentioned this merely as my opinion, but added that, in the contrary event, I was satisfied it would be absolutely impossible for them to take the people out of our hands. We then came to the army. He asked me how I thought they would act? I replied, for the regulars I could not pretend to say, but that they were wretched bad troops; for the militia, I hoped and believed that when we were once organized, they would not only not oppose us, but come over to the cause of their country en masse; nevertheless, I desired him to calculate on their opposition, and make his arrangements accordingly; that it was the safe

policy, and if it become necessary, it was so much gained. He said he would, undoubtedly, make his arrangements so as to leave nothing to chance that could be guarded against; that he would come in force, and bring great quantities of arms, ammunition, stores, and artillery, and, for his own reputation, see that all the arrangements were made on a proper scale. I was very glad to hear him speak thus; it set my mind at ease on divers points. He then said there was one important point remaining, on which he desired to be satisfied, and that was what form of Government we would adopt on the event of our success? I was going to answer him with great earnestness, when General Clarke entered, to request we would come to dinner with citizen Carnot. We accordingly adjourned the conversation to the apartment of the President, where we found Carnot and one or two more. Hoche, after some time, took me aside and repeated his question. I replied, "most undoubtedly, a republic." He asked again, "was I sure?" I said as sure as I could be of any thing; that I knew nobody in Ireland who thought of any other system, nor did I believe there was any body who dreamt of monarchy. He asked me, was there no danger of the Catholics setting up one of their chiefs for king? I replied, "not the smallest," and that there were no chiefs amongst them of that kind of eminence. This is the old business again, but I believe I satisfied Hoche, it looks well to see him so anxious on that topic, on which he pressed me more than on all the others. Carnot joined us here, with a pocket map of Ireland in his hand, and the conversation became pretty general between Clarke, Hoche,

and him, every one else having left the room. I said scarcely any thing, as I wished to listen. Hoche related to Carnot the substance of what had passed between him and me. When he mentioned his anxiety as to bread, Carnot laughed, and said, "there is plenty of beef in Ireland; if you cannot get bread, you must eat beef." I told him I hoped they would find enough of both; adding, that within the last twenty years Ireland had become a great corn country, so that, at present, it made a considerable article in her exports. They then proceeded to confer, but I found it difficult to follow them, as it was in fact a *suite* of former conversations, at which I had not assisted, and besides, they spoke with the rapidity of Frenchmen. I collected, however, if I am right, that there will be two landings, one from Holland, near Belfast, and the other from Brittany, in Connaught; that there will be, I suppose, in both embarkations, not less than ten, nor more than fifteen thousand men; twelve thousand was also mentioned, but I did not hear any time specified. Carnot said "it will be, to be sure, a most brilliant operation." And well may he say so, if he succeeds. We then went to dinner, which was very well served, without being luxurious. We had two courses, and a desert. There were present about sixteen or eighteen persons, Madame Carnot, her sister, and sister-in-law, Carnot, his brother, Hoche, Truguet, the Minister of Marine, Clarke, two or three officers, and Lagarde, the *Secrétaire General*. I sat by Hoche. After coffee was served, we rose, and Carnot, Hoche, Truguet, Lacuée, and Clarke, retired to a cabinet and held a council on Irish affairs, which lasted from six to nine

o'clock. In the meantime, I walked with Lagarde in the gardens of the Luxembourg, where we listened to a symphony performed in the apartments of La Reveilliere Lepaux, who is lodged over Carnot. Legarde tells me that La Reveilliere has concerts continually, and that music is his great resource after the fatigues of his business, which are immense. At nine the council broke up, and I walked away with Clarke; he said every thing was now settled, and that he had himself much trouble to bring every thing to bear, but that at last he had succeeded. I wished him joy, most sincerely, and fixing to call upon him to-morrow at twelve, we parted. This was a grand day; I dined with the president of the executive directory of France, beyond all comparison the most illustrious station in Europe. I am very proud of it, because it has come fairly in the line of my duty, and I have made no unworthy sacrifices to obtain it. I like Carnot extremely, and Hoche, I think, yet better.

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## A SHORT LIFE OF TONE,

FROM THE PEN OF

COUNSELLOR SAMPSON.

THEOBALD WOLFE TONE was born June 20, 1763. His grand-father was a Protestant freeholder in the county of Kildare; his father a coach-maker in Dublin. His infancy gave promise of such talents, that the cultivation of his mind was considered the best fortune his parents could bestow.



He studied in the university of Dublin, where he was early and eminently distinguished; in the Historical Society he twice carried off the prize of oratory, once that of history; and the speech he delivered from the chair, when auditor, was deemed the most finished on the records of the society.

During his attendance on the inns of court in London, he had opportunities of comparing the state of the English nation with that of his own; of perceiving all the advantages of a *national*, and the degradation of a *colonial* government; and there imbibed that principle which governed him through the remainder of his life, and to which his life was at length a sacrifice.

In the year 1790, on his return from the temple, he wrote his first pamphlet, under the signature of an *Irish Whig*, where he thus declared his principles: "*I am no occasional whig; I am no constitutional tory; I am addicted to no party but the party of the nation.*"

This work was republished by the Northern Whig Club, and read with great avidity; and the writer was called upon to avow himself; which he did, and became a member of that body.

He was complimented also by the whigs of Dublin. They proposed putting him in parliament, and Mr. George Ponsonby employed him professionally on his election and petition.

In the same year he wrote, "*an enquiry, how far Ireland is bound to support England in the approaching war,*" wherein he openly broached his favorite question of separation; and in 1791, the *Argument on behalf of the Catholics*, a work of extraordinary merit.

It is remarkable, that at that time he was scarcely



acquainted with any one Catholic, so great was the separation which barbarous institutions had created between men of the same nation, formed by nature to befriend and love each other.

The Catholics struck with admiration at this noble and disinterested effort of a stranger, repaid him by the best compliment in their power to bestow; he was invited to become secretary to their committee, with a salary of *two hundred pounds*, which he accepted.

He was entrusted to draw up their petition; a mark of liberal distinction, and honorable to the Catholic body, as there were not wanting amongst themselves men of transcendant talents; and he accompanied their delegates when they presented it to the king.

The Catholic convention voted him their thanks, a gold medal, and *fifteen hundred pounds*!

Being so honorably identified with the great body of his countrymen, his next efforts were directed to the bringing about a union between the Catholics and Dissenters of the North. In this he was seconded by the enlightened of both parties, and succeeded to the extent of his wishes.

The favorite project of the Dissenters was parliamentary reform; that of the Catholics, naturally, their own emancipation. He rallied them both upon the wicked absurdity of their past dissensions; upon the happy prospects of future union; showing, that the restoration of the Catholics to the elective franchise, was the best security for parliamentary reform, and how insignificant all reform must be, which excluded four-fifths of a nation!

In 1795, he again accompanied the delegates with their petition on the subject of the recall of lord Fitz-William; and when he resigned his office of secretary to retire to America, the society voted him their thanks, with a further compliment of *three hundred pounds* for services which they said, "no consideration could over-rate, nor no remuneration over-pay."

The remainder of his political life cannot be better understood, than by reading his speech to the court-martial, met to pass judgment on his life. At the time he withdrew from Ireland, I was but little concerned in politics, but admired him for the brilliancy and great variety of his conversation, the gay and social cast of his disposition. I loved him more because I thought him an honest man; and although it has been his fate to suffer as a traitor, I have not changed my mind. And after the hideous treasons we have just passed in review, it is grateful to find one *treason* at last founded upon principles of Christian charity, philosophy and reason. TONE was the founder of that union amongst "*Irishmen of every religious persuasion*," first adopted in Belfast, and afterwards throughout the kingdom, and in opposition to which, the governing faction set up the principles of a plundering mob, called "*peep-of-day-boys*," since called for more distinction "*Orangemen*," and raised to such a pre-eminence, that they now govern the councils in England and the conscience of the king, by the style and title of "*no Popery*." But when upon the altar of Union and reconciliation were offered up the lives of the most virtuous Irishmen of "*all religious persuasions*," and

that altar was cemented with their commingled blood, there was a trophy erected to the memory of TONE, more durable than brass or marble, and which neither terror, corruption, nor time itself, can shake.”\*

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### MR. MONROE, AND MR. TONE.

JULY, 1796. Dinner at Monroe's. Very pleasant. Mrs. Monroe, a pretty little woman, with very white teeth. After dinner, went with Monroe into his cabinet. He tells me he is just now poor, but he offered to supply me to the amount of £50, in sums of ten or fifteen, as I might want it, or else desired me to go to Skipwith, the consul for the United States, and see if he would give me cash, for my bill on Philadelphia, which he would guarantee, or for one to the same amount on himself, at a short date, which he would accept. He offered me at the same time, ten louis, for my current expenses. All this is very handsome in Monroe.

\* So true it is, that no religious party was excluded from this Union, that the established church furnished the greatest proportion of those victims with whom government broke faith, and who were secluded in the dungeons of Fort George; and of twenty that were there, four only were Catholics; so little was this rebellion a war of popery.

## "A GLOOMY CATALOGUE."

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JUNE, 1798. I (Tone) have been running over in my mind the list of my friends, and of the men whom, without being so intimately connected with them, I most esteem. Scarcely do I find one who is not or has not been in exile or prison, and in jeopardy of his life. To begin with Russell and Emmett, the two dearest of my friends, at this moment in prison on a capital charge. M'Neven and J. Sweetman, my old fellow-laborers in the Catholic cause; Edward Fitzgerald, Arthur and Roger O'Connor, whom, though I know less personally, I do not less esteem; Sampson, Bond, Jackson and his son, still in prison; Robert and William Simms, the men in the world to whose friendship I am most obliged, but just discharged; Neilson, Hazlitt, M'Cracken, the same; M'Cormick, absconded; Rowan and Dr. Reynolds in America; Lewines, Tennant, Lowry, Hamilton, Teeling, Tandy, &c. and others, with whom I have little or no acquaintance, but whom I must presume to be victims of their patriotism, not to speak of my own family in France, Germany, and elsewhere. Stokes disgraced on suspicion of virtue. It is a gloomy catalogue for a man to cast his eyes over. Of all my political connections I see but John Keogh who has escaped, and how he has had that inconceivable good fortune, is to me a miracle.

## DEATH OF TONE.

WRITTEN BY HIS SON.

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ON the next day, 12th November, (the day fixed for his execution,) the scene in the court of king's bench was awful and impressive to the highest degree. As soon as it opened, Curran advanced, leading the aged father of Tone, who produced his affidavit, that his son had been brought before a bench of officers, calling itself a court martial, and sentenced to death. "I do not pretend, said Curran, that Mr. Tone is not guilty of the charges of which he is accused, I presume the officers were honorable men. But it is stated in this affidavit, as a solemn fact, that Mr. Tone had no commission under his Majesty; and, therefore, no court martial could have cognizance of any crime imputed to him, whilst the court of king's bench sat in the capacity of the great criminal court of the land. In times when war was raging, when man was opposed to man in the field, courts martial might be endured; but every law authority is with me, whilst I stand upon this sacred and immutable principle of the constitution, that martial law and civil law are incompatible, and that the former must cease with the existence of the latter. This is not, however, the time for arguing this momentous question. My client must appear in this court. He is cast for death this very day. He may be ordered for execution whilst I address you. I call on the court to support the law, and move for a habeas corpus, to be directed to the provost marshal of the



barracks of Dublin, and Major Sandys, to bring up the body of Tone."

*Chief Justice.* "Have a writ instantly prepared."

*Curran.* "My client may die, whilst the writ is preparing."

*Chief Justice.* "Mr. Sheriff, proceed to the barracks, and acquaint the provost marshal that a writ is preparing to suspend Mr. Tone's execution, and see that he be not executed."

The court awaited, in a state of the utmost agitation and suspense, the return of the Sheriff. He speedily appeared, and said, "my lord, I have been to the barracks, in pursuance of your order. The provost marshal says he must obey Major Sandys. Major Sandys says he must obey Lord Cornwallis." Mr. Curran announced, at the same time, that Mr. Tone, the father, was just returned, after serving the habeas corpus, and that General Craig would not obey it. The chief justice exclaimed, "Mr. Sheriff, take the body of Tone into custody—take the provost marshal and Major Sandys into custody, and show the order of the court to General Craig."

The general impression was now, that the prisoner would be led out to execution, in defiance of the court. This apprehension was legible in the countenance of Lord Kilwarden, a man who, in the worst of times, preserved a religious respect for the laws, and who, besides, I may add, felt every personal feeling of pity and respect for the prisoner, whom he had formerly contributed to shield from the vengeance of government, on an occasion almost as perilous. His

agitation, according to the expression of an eye-witness, was magnificent.

The Sheriff returned at length with the fatal news. He had been refused admittance in the barracks; but was informed, that Mr. Tone, who had wounded himself dangerously the night before, was not in a condition to be removed. A French emigrant surgeon, who had closed the wound, was called in, and declared there was no saying, for four days, whether it was mortal. His head was to be kept in one position, and a sentinel was set over him, to prevent his speaking. Removal would kill him at once. The chief justice instantly ordered a rule for suspending the execution.

I must collect my strength to give the remaining details of the close of my father's life. The secrets of a state prison, and of such a prison as were those of Dublin, at that period, are seldom penetrated; and the facts which have reached us, are few and meagre. As soon as he learned the refusal of his last request, his determination was taken, with the same resolution and coolness which he exhibited during the whole transaction. In order to spare the feelings of his parents and friends, he refused to see any one, and requested only the use of writing materials. During the 10th and 11th of November, he addressed the directory, the minister of marine, General Kilmaine, and Mr. Shee, in France, and several of his friends in Ireland, to recommend his family to their care. I here insert a translation of his letter to the directory, the only one of which we obtained a copy.

“FROM THE PROVOST’S PRISON, DUBLIN,

20th Brumaire, 7th year of the Republic, }  
(10th November, 1798.) }

*The Adjutant General Theobald Wolfe Tone, (called Smith,) to the Executive Directory of the French Republic.*

#### CITIZEN DIRECTORS:

“The English government having determined not to respect my rights as a French citizen and officer, and summoned me before a court martial, I have been sentenced to death. In those circumstances, I request you to accept my thanks for the confidence with which you have honored me, and which, in a moment like this, I venture to say I well deserved. I have served the republic faithfully, and my death, as well as that of my brother, a victim like myself, and condemned in the same manner about a month ago, will sufficiently prove it. I hope the circumstances in which I stand will warrant me, citizen directors, in supplicating you to consider the fate of a virtuous wife and of three infant children, who had no other support, and, in losing me, will be reduced to the extreme of misery. I venture, on such an occasion, to recall to your remembrance, that I was expelled from my own country in consequence of my attempts to serve the republic; that, on the invitation of the French government, I came to France; that ever since I had the honor to enter the French service, I have faithfully, and with the approbation of all my chiefs, performed my duty; finally, that I have sacrificed for the republic all that man holds dearest—my wife, my children,

my liberty, my life. In these circumstances, I confidently call on your justice and humanity in favor of my family, assured that you will not abandon them. It is the greatest consolation which remains to me in dying.

Health and respect,

T. W. TONE, (called Smith,)  
*Adjutant General."*

He then, with a firm hand and heart, penned the two following letters to my mother:

PROVOST PRISON—DUBLIN BARRACKS,

*Le 20 Brumaire, an 7, (10th Nov.) 1798.*

DEAREST LOVE:

"The hour is at last come, when we must part. As no words can express what I feel for you and our children, I shall not attempt it; complaint, of any kind, would be beneath your courage and mine; be assured I will die as I have lived, and that you will have no cause to blush for me.

"I have written on your behalf to the French government, to the minister of marine, to General Kilmaine, and to Mr. Shee; with the latter I wish you especially to advise. In Ireland, I have written to your brother Harry, and to those of my friends who are about to go into exile, and who, I am sure, will not abandon you.

"Adieu, dearest love: I find it impossible to finish this letter. Give my love to Mary; and, above all things, remember that you are now the only parent of our dearest children, and that the best proof you can



give of your affection for me, will be to preserve yourself for their education. God Almighty bless you all.

Your's ever,

T. W. TONE.

P. S. I think you have a friend in Wilson, who will not desert you.”\*

#### SECOND LETTER.

DEAREST LOVE:

“I write just one line, to acquaint you that I have received assurances from your brother Edward, of his determination to render every assistance and protection in his power; for which I have written to thank him most sincerely. Your sister has likewise sent me assurances of the same nature, and expressed a desire to see me, which I have refused, having determined to speak to no one of my friends, not even my father, from motives of humanity to them and myself. It is a very great consolation to me, that your family are determined to support you; as to the manner of that assistance, I leave it to their affection for you, and your own excellent good sense, to settle what manner will be most respectable for all parties.

“Adieu, dearest love. Keep your courage, as I have

\* Nobly did this pure and virtuous man, and he alone of all those whom my father had depended upon, fulfil the expectation of his friend. He was to my mother a brother, a protector, and an adviser, during the whole period of our distress; and when, at the close of eighteen years, we were ruined a second time, by the fall of Napoleon, he came over from his own country to offer her his hand and his fortune, and share our fate in America.



kept mine; my mind is as tranquil this moment as at any period of my life. Cherish my memory; and especially, preserve your health and spirits for the sake of our dearest children.

Your ever affectionate,

T. WOLFE TONE."

11th November, 1798.

It is said, that, on the evening of that very day, he could see and hear the soldiers erecting the gallows for him before his windows. That very night, according to the report given by his jailors, having secreted a penknife, he inflicted a deep wound across his neck. It was soon discovered, by the sentry, and a surgeon called in at four o'clock in the morning, who stopped the blood and closed it. He reported, that, as the prisoner had missed the carotid artery, he might yet survive, but was in the extremest danger. It is said, that he murmured only in reply, "I am sorry I have been so bad an anatomist." Let me draw a veil over the remainder of this scene.

Stretched on his bloody pallet in a dungeon, the first apostle of Irish union, and most illustrious martyr of Irish independence, counted each lingering hour during the last seven days and nights of his slow and silent agony. No one was allowed to approach him. Far from his adored family, and from all those friends whom he loved so dearly, the only forms which flitted before his eyes, were those of the grim gaoler and rough attendants of the prison; the only sounds which fell on his dying ear, the heavy tread of the sentry. He retained, however, the calmness of his soul, and

the possession of his faculties, to the last. And the consciousness of dying for his country, and in the cause of justice and liberty, illumined, like a bright halo, his latest moments, and kept up his fortitude to the end. There is no situation, under which those feelings will not support the soul of a patriot.

On the morning of the 19th November, he was seized with the spasms of approaching death. It is said that the surgeon who attended, whispered that, if he attempted to move or speak, he must expire instantly; that he overheard him, and, making a slight movement, replied, "I can yet find words to thank you, sir: it is the most welcome news you could give me. What should I wish to live for?" Falling back, with these expressions on his lips, he expired without further effort.

## MATILDA TONE.

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THIS admirable woman is of a family which moves in the genteelest circles of her country. Her name was Witherington. At sixteen years of age she made a match of love with Theobald Wolfe Tone, then a youthful student. This marriage produced a separation from her family, which only served to increase the tender affections of her husband. He bestowed much time upon her education, and had the delicious pleasure of cultivating the most noble, refined, and delicate of minds. "Content," to use his own words, "with honorable poverty," they might be truly called a happy couple. But fortune, which delights in splendid victims, blasted their early joys. Mrs. Tone remained at her husband's death, in Paris, with three young pledges of their love. The estimation in which Tone was held, and her own merit, had attached to her interest many powerful friends. But with the arts of intrigue her noble mind could never be familiar, she retired from the notice of the world. The most elegant encomium ever pronounced on woman, was that which Lucien Bonaparte bestowed upon her, in recommending her case and that of her children to the attention of the French Councils.

Her two sons were, in right of their father, received into the national school of the Prytanee, and her charming daughter, educated in the midst of a dissi-

pated city, with the purity of an angel, became the sweet companion, and soother of the sorrows of a widowed mother. But she, like a fair blossom untimely nipped, bloomed at once, and faded. She died in the dawn of loveliness, and felt no pang in death but for the sufferings of the mother she adored. Another child of promise soon followed, no less beloved, no less regretted; and fate, not satisfied with so much cruelty, threatened to bereave her of her remaining comfort. It was to avert that last stroke of angry destiny, that she lately made a voyage to America; and in the city of New York a society of her affectionate countrymen seized upon the unexpected occasion, and presented her with the following tribute to the memory of her husband, and her own virtues.

*In pursuance of a resolution of the Hibernian Provident Society of the city of New York, a committee waited on Mrs. Tone, on Saturday last; and in the most respectful manner presented her a MEDALLION, with an appropriate device and inscription; and, to her son (a youth of sixteen) a SWORD, accompanied with the following*

ADDRESS:

*Madam,*—We are appointed by the Hibernian Provident Society of New York, to embrace the opportunity of your presence in this city, to express to you their very profound respect for the character and memory of your late illustrious husband, General *Theobald Wolfe Tone*, and their affectionate attachment to his widow and son. To many of our society he was intimately known; by all of us he was ardently beloved;

and while we look back with anguish on the frightful calamities of our time and country, we delight to dwell on his talents, his patriotism, his perseverance, and his dignity in misfortune. Accept, madam, a testimonial of their esteem, which can pretend to no value, but what it may derive from the sincerity with which it is offered. In some other country, perhaps, it may awaken the reflection, that wherever Irishmen dare to express the sentiments of their hearts, they celebrate the name and sufferings of TONE, with that melancholy enthusiasm which is characteristic of their national feelings for the struggles and misfortunes of their HEROES.

We are likewise directed to present a Sword to his youthful son and successor, with a lively hope, that it may one day, in his hand, avenge the wrongs of his country.

We are, madam,

With the utmost respect,

Your most obedient humble servants,

DAVID BRYSON,

GEO. WHITE,

WM. J. MACNEVEN,

THOS. ADDIS EMMET,

GEORGE CUMING,

} Committee.

October 1, 1807.

*To which Mrs. Tone returned the following*

ANSWER.

*Gentlemen,*—The sweetest consolation my heart can feel, I receive in the proof you now give me that my husband still lives in your affections and esteem; though in the course of nine disastrous years, the numerous



victims who have magnanimously suffered for the liberty of Ireland, might well confuse memory and make selection difficult.

I am proud of belonging to a nation, whose sons preserve under every vicissitude of fortune, a faithful attachment to their principles; and from whose firm and generous minds, neither persecution, exile, nor time, can obliterate the remembrance of those who have fallen, though ineffectually, in the cause of our country.

For your gift to my son, take his mother's thanks and his, while she tremblingly hopes that fate may spare him, to prove himself not unworthy of his father or his friends. I have the honor to remain,

With grateful respect, gentlemen,

Your most obedient,

MATILDA TONE.

#### THE MEDALLION.

CATO contemplating the immortality of the soul; he is seated; one hand rests on the works of PLATO, the other on his sword. The allusion will be readily perceived by those who remember the fate of *General Tone*.

#### MOTTO.

*Victrix Causa Diis placuit, sed Victa Catoni.*

#### INSCRIPTION.

Presented by the HIBERNIAN PROVIDENT SOCIETY OF NEW YORK,  
to the worthy Relict of the late illustrious Patriot,

**GEN. THEOBALD WOLFE TONE.**

*While we lament his sufferings,  
We will ever cherish his memory,  
And emulate his virtues.*

## THE FATE OF THE TONE FAMILY.

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MR. TONE had reached only his thirty-fourth year. His father was an eminent coach-maker in Dublin: he had sixteen children (thirteen sons and three daughters) of whom only five attained the age of maturity, and whose fates afford a singular instance of the wanderings and calamities of a single family. Theobald died as before related. Matthew was executed the same year, in Dublin barracks, for high treason: it is said that no more than five persons were present at the execution. William was killed in India, a major in Holkar's service. Arthur accompanied his brother Theobald to America; and was subsequently, at the early age of eighteen, appointed to the command of a frigate in the service of the Dutch republic: he is supposed to have perished at sea, as no account was ever after received of him. Mary was married to a foreign merchant, and died at St. Domingo. Their aged mother survives and now resides in Dublin.

After the death of Mr. Wolfe Tone, his widow and infant children were protected by the French republic; and, on the motion of Lucien Bonaparte, a pension granted for their support.

## COUNSELLOR SAMPSON.

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### SAMPSON AND LORD MOIRA.

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LORD MOIRA lived at his mother's residence in Dublin. I was presented to him; and if I had received attentions from the ladies, I experienced still more flattering ones from him. He once called me into his cabinet, and after apologizing by anticipation, with all that suavity and nobleness of manner which he possesses, and after I had assured him that I knew him incapable of speaking any thing that ought to offend, he proposed to me to go over and live with him in England; that he saw a storm gathering round me; that he knew how I was threatened; that whatever loss it might be, he would endeavour to counterbalance it, and that to whatever amount I chose, he would be my banker, and make my fortune his particular care. I did not immediately recover from the emotion this proceeding excited in me; but when I did, I answered that had this offer been made a short time before I might perhaps have accepted of it; that I felt the value of it as much as if I did; that however agreeable such a retreat under the auspices of his lordship might be, I could not consent to it at present, as several hundreds of my oppressed countrymen looked to me for their vindication. And having in such a crisis undertaken the defence of the wretched, I found it as impossible to abandon my duty to them as it would be for his lordship to quit the field of battle in the moment of action.

CONDUCT  
OF THE  
REBEL LEADERS OF 1798.

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THERE is a story related and strongly attested to me, which it would be unjust to suppress. Two young ladies of the Orange or government faction, whose father, Mr. H—— G——, had rendered himself by violent cruelty peculiarly obnoxious; and who (shame of their sex) had performed with their own hands many acts of torture and indignity, fell into the power of the *rebels*. Their consciences suggested that they ought to share the fate which the Irish women had suffered on similar occasions. They addressed themselves to certain young officers of the rebel detachment, requesting their protection from the mob; but offering, as to them, to surrender their persons at discretion. The rebel officers replied with dignity and generosity, that they had taken arms against the enemies of their country, to punish their crimes, but not to imitate them.

SAMPSON'S TESTIMONIAL  
IN FAVOR OF THE  
CHARACTER OF WM. BYRNE.

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ONE day, as we were all together in the yard of the bridewell, it was announced that the scaffold was erected for the execution of William Byrne, the preservation of whose life had been a principal motive for the signature of many of the prisoners to the agreement abovementioned. We were all thunderstruck by such a piece of news: but I was the more affected when I learned, that lord Cornwallis had been desirous of remitting the execution, but that the faction had overborne him in the council, by arguing that the agreement was ineffective, inasmuch as Mr. O'Conner, nor I, had not signed it. In that moment I sent to Mr. Dobbs, to entreat that he would hurry to the castle, and offer my signature, on condition that this execution should be suspended; but unhappily it was too late. The terrorists had surrounded the scaffold, and that brave youth was hurried, undaunted, to his death! This deed filled me with horror. I had never known any thing of William Byrne, until I had found means of conversing with him in our common prison. Through favor of Mr. Bush, once my friend, and then employed as his counsel, he obtained leave to consult with me on the subject of his trial; and certainly whatever can be conceived of noble courage, and pure and perfect heroism,



he possessed. His life was offered him on condition that he would exculpate himself, at the expense of the reputation of the deceased lord Edward Fitzgerald; and the scorn with which he treated this offer was truly noble. Go, says he, to the herald of that odious proposition, and tell the tempter that sent you, that I have known no man superior to him you would calumniate, nor none more base, than him who makes this offer. It is not necessary to be a partisan of lord Edward Fitzgerald, nor acquainted with the sufferings and oppressions of the unfortunate Irish people, to feel the dignity of such a reply. One must be dead to the feelings of generosity, sacred even amongst enemies, not to be touched with it. The more so, when it is known that this young man, who was but one and twenty years of age, was married to the woman that he loved, and had, within a few days, received a new pledge of fondness, and a new tie to life, in the birth of a first child. He had been loyally enrolled in a corps of volunteers, until the persecutions and horrors committed upon those of his persuasion, for he was of a Catholic family, drove him from the ranks of the persecutors into the arms of rebellion. Had there been men less weak, and less wicked, in the government of Ireland, or a system of less inhumanity, he, with thousands now in exile or in the grave, would have been its boast and ornament, and the foremost in virtue and in courage to defend it.

## ROBERT EMMET.

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THE projector of the late insurrection, Mr. Robert Emmet, who was a young gentleman of a highly respectable family, of very striking talents and interesting manners, was in the habit of visiting at Mr. Curran's house: here he soon formed an attachment for Mr. Curran's youngest daughter. Of the progress of that attachment, and of the period and occasion of his divulging it to her, Mr. Emmet's letters, inserted hereafter, contain all that is to be told. It is necessary, however, to add, as indeed will appear from those letters, that her father remained in total ignorance of the motive of Mr. Emmet's visits, until subsequent events made it known to all. To a man of his celebrity and attractive conversation, there seemed nothing singular in finding his society cultivated by any young person to whom he afforded (as he so generally did to all) the opportunities of enjoying it. As the period, however, of the intended insurrection approached, Mr. Curran began to suspect, from minute indications, which would probably have escaped a less skilful observer, that his young visiter was actuated by some strong passions, which it cost him a perpetual effort to conceal; and in consequence, without assigning to those appearances any precise motive, or giving the subject much attention, he, in general terms, recommended to his family

not to allow what was at present only a casual acquaintance to ripen into a greater degree of intimacy.

Upon the failure of the insurrection, its leader escaped, and succeeded for some weeks in secreting himself. There is reason to believe, that had he attended solely to his safety, he could have easily effected his departure from the kingdom; but in the same spirit of romantic enthusiasm which distinguished his short career, he could not submit to leave a country to which he could never more return, without making an effort to have one final interview with the object of his unfortunate attachment, in order to receive her personal forgiveness for what he now considered as the deepest injury. It was apparently with a view to obtaining this last gratification that he selected the place of concealment in which he was discovered: he was arrested in a house situate midway between Dublin and Mr. Curran's country seat. Upon his person were found some papers, which showed that subsequent to the insurrection he had corresponded with one of that gentleman's family: a warrant accordingly followed, as a matter of course, to examine Mr. Curran's house, where some of Mr. Emmet's letters were found, which, together with the documents taken upon his person, placed beyond a doubt his connection with the late conspiracy, and were afterwards used as evidence upon his trial.

It was from this legal proceeding that Mr. Curran received the first intimation of the melancholy attachment in which one of his children had been involved. This is not the place to dwell upon the agony which such a discovery occasioned to the private feelings of

the father. It was not the private calamity alone which he had to deplore; it came embittered by other circumstances, which, for the moment, gave his sensibility an intenser shock. He was a prominent public character, and from the intrepid resistance which he had uniformly made in the senate and at the bar to the unconstitutional measures of the state, was inevitably exposed to the political hatred of many, who would have gloried in the ruin of his reputation as in a decisive triumph over those principles which he had all his life supported. He had seen and experienced too much of party calumny not to apprehend that it would show little respect for a misfortune which could afford a pretext for accusation; and however secure he might feel as to the final results of the most merciless investigation, he still could not contemplate without anguish the possibility of having to suffer the "humiliation of an acquittal." But his mind was soon relieved from all such distressing anticipations. He waited upon the attorney-general,\* and tendered his person and papers to abide any inquiry which the government might deem it expedient to direct. That officer entered into his situation with the most prompt and manly sympathy, and instead of assuming the character of an accuser of the father, more generously displayed his zeal in interceding for the child. At his instance Mr. Curran accompanied him to the privy council. Upon his first entrance there was some indication of the hostile spirit which he had originally apprehended. A noble lord, who at that time held the highest judicial situation in

\* The right honorable Standish O'Grady, the present Chief Baron of the Exchequer in Ireland.



Ireland, undertook to examine him upon the transaction which had occasioned his attendance. To do this was undoubtedly his duty; but overstepping his duty, or at least his prudence, he thought proper to preface his intended questions by an austere, authoritative air, of which the palpable meaning was, that he considered intimidation as the most effectual mode of extracting the truth. He fixed his eye upon Mr. Curran, and was proceeding to cross-examine his countenance, when (as is well remembered by the spectators of the scene) the swell of indignation, and the glance of stern dignity and contempt which he encountered there, gave his own nerves the shock which he had meditated for another's, and compelled him to shrink back into his chair, silent and disconcerted at the failure of his rash experiment. With this single exception, Mr. Curran was treated with the utmost delicacy; for this he was principally indebted to the friendship of the attorney-general, who finding that every inquiry and document upon the subject explained all the circumstances beyond the possibility of an unfavourable conjecture, humanely and (where it was necessary) firmly interposed his authority, to save the feelings of the parent from any additional affliction.

The following are the letters which it seems requisite to introduce. There was a time when the publication of them would have excited pain, but that time is past. The only persons to whom such a proceeding could have given a pang, the father and the child, are now beyond its reach; and their survivor, who from a sense of duty permits them to see the light, does so under a full persuasion, that all those who from per-



sonal knowledge, or from report, may sometimes recal their memories with sentiments of tenderness or esteem, will find nothing in the contents of those documents which can provoke the intrusion of a harsher feeling.

FROM MR. ROBERT EMMET TO JOHN PHILPOT CURRAN, ESQ.

“I did not expect you to be my counsel. I nominated you, because not to have done so might have appeared remarkable. Had Mr. ——— been in town, I did not even wish to have seen you; but as he was not, I wrote to you to come to me at once. I know that I have done you very severe injury, much greater than I can atone for with my life: that atonement I did offer to make before the privy council, by pleading guilty, if those documents were suppressed. I offered more—I offered, if I was permitted to consult some persons, and if they would consent to an accommodation for saving the lives of others, that I would only require for my part of it the suppression of those documents, and that I would abide the event of my own trial. This also was rejected; and nothing but individual information (with the exception of names) would be taken. My intention was, not to leave the suppression of those documents to possibility, but to render it unnecessary for any one to plead for me, by pleading guilty to the charge myself.

“The circumstances that I am now going to mention, I do not state in my justification. When I first addressed your daughter, I expected that in another week my own fate would be decided. I knew that in case of success, many others might look on me differ-

ently from what they did at that moment; but I speak with sincerity, when I say that I never was anxious for situation or distinction myself, and I did not wish to be united to one who was. I spoke to your daughter, neither expecting, nor in fact, under those circumstances wishing that there should be a return of attachment: but wishing to judge of her dispositions, to know how far they might be not unfavourable or disengaged, and to know what foundation I might afterwards have to count on. I received no encouragement whatever. She told me that she had no attachment for any person, nor did she seem likely to have any that could make her wish to quit you. I staid away till the time had elapsed when I found that the event to which I allude was to be postponed indefinitely. I returned by a kind of infatuation, thinking that to myself only was I giving pleasure or pain. I perceived no progress of attachment on her part, nor any thing in her conduct to distinguish me from a common acquaintance. Afterwards I had reason to suppose that discoveries were made, and I should be obliged to quit the kingdom immediately; and I came to make a renunciation of any approach to friendship that might have been formed. On that very day she herself spoke to me to discontinue my visits: I told her that it was my intention, and I mentioned the reason. I then, for the first time, found, when I was unfortunate, by the manner in which she was affected, that there was a return of affection, and that it was too late to retreat. My own apprehensions, also, I afterwards found, were without cause, and I remained. There has been much culpability on my part in all this, but there has also been a great deal of that misfortune which seems uniformly

to have accompanied me. That I have written to your daughter since an unfortunate event has taken place, was an additional breach of propriety, for which I have suffered well; but I will candidly confess, that I not only do not feel it to have been of the same extent, but that I consider it to have been unavoidable after what had passed; for though I will not attempt to justify in the smallest degree my former conduct, yet when an attachment was once formed between us—and a sincerer one never did exist—I feel that, peculiarly circumstanced as I then was, to have left her uncertain of my situation, would neither have weaned her affections, nor lessened her anxiety; and looking upon her as one, whom, if I had lived, I hoped to have had my partner for life, I did hold the removing her anxiety above every other consideration. I would rather have had the affections of your daughter in the back settlements of America, than the first situation this country could afford without them. I know not whether this will be any extenuation of my offence—I know not whether it will be any extenuation of it to know, that if I had that situation in my power at this moment, I would relinquish it to devote my life to her happiness—I know not whether success would have blotted out the recollection of what I have done—but I know that a man, with the coldness of death on him, need not be made to feel any other coldness, and that he may be spared any addition to the misery he feels not for himself, but for those to whom he has left nothing but sorrow.”\*

\* The original, from which the above has been copied, is not signed or dated. It was written in the interval between Mr. Emmet's conviction and execution.

FROM THE SAME, TO RICHARD CURRAN, ESQ.

*My Dearest Richard,*

“I find I have but a few hours to live, but if it was the last moment, and that the power of utterance was leaving me, I would thank you from the bottom of my heart for your generous expressions of affection and forgiveness to me. If there was any one in the world in whose breast my death might be supposed not to stifle every spark of resentment, it might be you—I have deeply injured you—I have injured the happiness of a sister that you love, and who was formed to give happiness to every one about her, instead of having her own mind a prey to affliction. Oh! Richard, I have no excuse to offer, but that I meant the reverse, I intended as much happiness for Sarah as the most ardent love could have given her. I never did tell you how much I idolised her; it was not with a wild or unfounded passion, but it was an attachment increasing every hour, from an admiration of the purity of her mind, and respect for her talents. I did dwell in secret upon the prospect of our union. I did hope that success, while it afforded the opportunity of our union, might be the means of confirming an attachment, which misfortune had called forth. I did not look to honors for myself—praise I would have asked from the lips of no man; but I would have wished to read in the glow of Sarah’s countenance that her husband was respected. My love, Sarah! it was not thus that I thought to have requited your affection. I did hope to be a prop round which your affections might have clung, and which would never



have been shaken; but a rude blast has snapped it, and they have fallen over a grave.

"This is no time for affliction. I have had public motives to sustain my mind, and I have not suffered it to sink; but there have been moments in my imprisonment when my mind was so sunk by grief on her account, that death would have been a refuge.

"God bless you, my dearest Richard. I am obliged to leave off immediately.

ROBERT EMMET."

This letter was written at twelve o'clock on the day of Mr. Emmet's execution, and the firmness and regularity of the original hand-writing contain a striking and affecting proof of the little influence which the approaching event exerted over his frame. The same enthusiasm which allured him to his destiny, enabled him to support its utmost rigour. He met his fate with unostentatious fortitude.

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### MOORE'S OPINION OF ROBERT EMMET.

THOMAS MOORE, in his life of Lord Edward Fitzgerald, speaks in the following feeling, and beautiful manner of Emmet:—"Of this latter friend, (Emmet) notwithstanding his own dying entreaty that the world would extend to him "the charity of its silence," I cannot deny myself the gratification of adding a few words, conscious that, at least, the *spirit* of his wish will not be violated in them. Were I to number, indeed, the



men, among all I have ever known, who appeared to me to combine in the greatest degree, pure moral worth with intellectual power, I should, among the highest of the few, place Robert Emmet. Wholly free from the follies and frailties of youth,—though how capable he was of the most devoted passion events afterwards proved,—the pursuit of science, in which he eminently distinguished himself, seemed, at this time, the only object that at all divided his thoughts with that enthusiasm for Irish freedom which in him was an hereditary as well as national feeling,—himself being the second martyr his father had given to the cause.

“Simple in all his habits, and with a repose of look and manner indicating but little movement within, it was only when the spring was touched that set his feelings, and,—through them,—his intellect in motion that he, at all, rose above the level of ordinary men. On no occasion was this more peculiarly striking than in those displays of oratory with which, both in the Debating, and the Historical Society, he so often enchaind the attention and sympathy of his young audience. No two individuals, indeed, could be much more unlike to each other than was the same youth to himself, *before* rising to speak, and *after*;—the brow that had appeared inanimate and almost drooping at once elevating itself in all the consciousness of power, and the whole countenance and figure of the speaker assuming a change as of one suddenly inspired.

“Of his oratory, it must be recollected, I speak from youthful impressions; but I have heard little since that appeared to me of a loftier or (what is a far more rare

quality in Irish eloquence) purer character; and the effects it produced, as well from its own exciting power, as from the susceptibility with which his audience caught up every allusion to passing events, was such as to attract at last seriously the attention of the fellows; and by their desire one of the scholars, a man of advanced standing and reputation for oratory, came to attend our debates expressly for the purpose of answering Emmet, and endeavoring to neutralize the impressions of his fervid eloquence.

“Such in heart and mind, was another of those devoted men, who with gifts that would have made them the ornaments and supports of a well regulated community, were driven to live the lives of conspirators and die the death of traitors, by a system of government which it would be difficult even to think of with patience, did we not gather a hope from the present aspect of the whole civilized world, that such a system of bigotry and misrule can never exist again.”

LIFE AND DEATH  
OF THE  
REV. WILLIAM JACKSON.

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MR. JACKSON was a clergyman of the established church; he was a native of Ireland, but had for several years resided out of that country. A part of his life was spent in the family of the noted duchess of Kingston, and he is said to be the person who conducted that lady's controversy with the celebrated Foote. At the period of the French revolution, he passed over to Paris, where he formed political connections with the ruling powers there: from France he returned to London in 1794, for the purpose of procuring information as to the practicability of an invasion of England, and was thence to proceed to Ireland on a similar mission. Upon his arrival in London, he renewed an intimacy with a person named Cockayne, who had formerly been his friend and confidential attorney. The extent of his communications in the first instance to Cockayne did not exactly appear; the latter, however, was prevailed upon to write the directions of several of Jackson's letters, containing treasonable matters, to his correspondents abroad; but in a little time, either suspecting or repenting that he had been furnishing evidence of treason against himself, he revealed to the British minister, Mr. Pitt, all that he knew or conjec-

tured relative to Jackson's objects. By the desire of Mr. Pitt, Cockayne accompanied Jackson to Ireland, to watch and defeat his designs, and as soon as the evidence of his treason was mature, announced himself as a witness for the crown. Mr. Jackson was accordingly arrested, and committed to stand his trial for high treason.

It did not appear that he had been previously connected with any of the political fraternities then so prevalent in Ireland, but some of them took so deep an interest in his fate, that the night before his trial, four persons of inferior condition, members of those societies, formed a plan (which, however, proved abortive) to seize and carry off Cockayne, and perhaps to despatch him, in order to deprive the government of the benefit of his testimony.

Mr. Jackson was committed to prison in April, 1794, but his trial was delayed, by successive adjournments, till the same month in the following year. In the interval, he wrote and published a refutation of Paine's *Age of Reason*, probably in the hope that it might be accepted as an atonement. He was convicted, and brought up for judgment on the 30th of April, 1795.

It is at this stage of the proceedings that the case of Jackson becomes terribly peculiar. Never, perhaps, did a British court of justice exhibit a spectacle of such appalling interest as was witnessed by the king's bench of Ireland, upon the day that this unfortunate gentleman was summoned to hear his fate pronounced. He had a day or two before made some allusions to the subject of suicide. In a conversation with his counsel in the prison, he had observed to them that his food

was always cut in pieces before it was brought to him, the jailor not venturing to trust him with a knife or fork. This precaution he ridiculed, and observed, "that the man who feared not death, could never want the means of dying, and that as long as his head was within reach of the prison-wall, he could prevent his body's being suspended to scare the community." At the moment they regarded this as a mere casual ebullition, and did not give it much attention.

On the morning of the 30th of April, as one of these gentlemen was proceeding to court, he met in the streets a person warmly attached to the government of the day; the circumstance is trivial, but it marks the party spirit that prevailed, and the manner in which it was sometimes expressed: "I have (said he) just seen your client, Jackson, pass by on his way to the king's bench to receive sentence of death. I always said he was a coward, and I find I was not mistaken; his fears have made him sick—as the coach drove by, I observed him with his head out of the window vomiting violently." The other hurried on to the court, where he found his client supporting himself against the dock; his frame was in a state of violent perturbation, but his mind was still collected. He beckoned to his counsel to approach him, and making an effort to squeeze him with his damp and nerveless hand, uttered in a whisper, and with a smile of mournful triumph, the dying words of Pierre:

"We have deceived the senate."\*

The prisoner's counsel having detected what they

\* Otway's *Venice Preserved*.



conceived to be an informality in the proceedings, intended to make a motion in arrest of his judgment; but it would have been irregular to do so until the counsel for the crown, who had not yet appeared, should first pray the judgment of the court upon him. During the interval, the violence of the prisoner's indisposition momentarily increased, and the chief justice, Lord Clonmel, was speaking of remanding him, when the attorney general came in, and called upon the court to pronounce judgment upon him. Accordingly "the Reverend William Jackson was set forward," and presented a spectacle equally shocking and affecting. His body was in a state of profuse perspiration; when his hat was removed, a dense steam was seen to ascend from his head and temples; minute and irregular movements of convulsions were passing to and fro upon his countenance; his eyes were nearly closed, and when at intervals they opened, discovered by the glare of death upon them, that the hour of dissolution was at hand. When called on to stand up before the court, he collected the remnant of his force to hold himself erect; but the attempt was tottering and imperfect: he stood rocking from side to side, with his arms in the attitude of firmness, crossed over his breast, and his countenance strained by a last proud effort into an expression of elaborate composure. In this condition he faced all the anger of the offended law, and the more confounding gazes of the assembled crowd. The clerk of the crown now ordered him to hold up his right hand, the dying man disentangled it from the other, and held it up, but it instantly dropped again! Such was his state, when in the solemn simplicity of

the language of the law, he was asked, "What he had now to say why judgment of death, and execution thereon, should not be awarded against him according to law?" Upon this Mr. Curran rose, and addressed some arguments to the court in arrest of judgment. A legal discussion of considerable length ensued. The condition of Mr. Jackson was all this while becoming worse. Mr. Curran proposed that he should be remanded, as he was in a state of body that rendered any communication between him and his counsel impracticable. Lord Clonmel thought it lenity to the prisoner to dispose of the question as speedily as possible. The windows of the court were thrown open to relieve him, and the discussion was renewed: but the fatal group of death tokens were now collecting fast around him; he was evidently in the final agony. At length while Mr. Ponsonby, who followed Mr. Curran, was urging further reasons for arresting the judgment, their client *sunk in the dock*.

The conclusion of the scene is given as follows in the reported trial.

*Lord Clonmel.* "If the prisoner is in a state of insensibility, it is impossible that I can pronounce the judgment of the court upon him."

Mr. Thomas Kinsley, who was in the jury box, said he would go down to him; he accordingly went into the dock, and in a short time informed the court that the prisoner was certainly dying.

By order of the court, Mr. Kinsley was sworn.

*Lord Clonmel.* "Are you in any profession?"

*Mr. Kinsley.* "I am an apothecary."

*Lord Clonmel.* Can you speak with certainty of the state of the prisoner?"

*Mr. Kinsley.* "I can; I think him verging to eternity."

*Lord Clonmel.* "Do you think him capable of hearing his judgment?"

*Mr. Kinsley.* "I do not think he can."

*Lord Clonmel.* "Then he must be taken away; take care that in sending him away no mischief be done. Let him be remanded until further orders; and I believe it as much for his advantage as for all yours to adjourn."

The sheriff informed the court that the prisoner was dead.

*Lord Clonmel.* "Let an inquisition, and a respectable one be held on the body. You should carefully inquire by what means he died."

The court then adjourned, and the body of the deceased remained in the dock, unmoved from the position in which he had expired, until the following day, when an inquest was held. A large quantity of metallic poison was found in his stomach. The preceding day, a little before he was brought up to court, the gaoler having visited his room, found him with his wife, much agitated, and vomiting violently; he had just taken, he said, some tea, which disagreed with him; so that there remained no doubt that the unfortunate prisoner, to save himself and his family the shame of an ignominious execution had anticipated the punishment of the laws by taking poison.

The following sentences, in his own hand writing, were found in his pocket.

"Turn thee unto me, and have mercy upon me, for I am desolate and afflicted."

"The troubles of my heart are enlarged: Oh bring thou me out of my distresses."

"Look upon my affliction and my pain, and forgive all my sins."

"Oh! keep my soul and deliver me. Let me not be ashamed, for I put my trust in thee."

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## ANECDOTE OF JACKSON

DURING HIS

### IMPRISONMENT.

EXAMPLES of honorable conduct, no matter by whom displayed, are heard with pleasure by every friend to human nature. Of such, a very rare instance was given by this gentleman during his imprisonment. For the whole of that period he was treated with every possible indulgence, a fact which is so creditable to the Irish government that it would be unjust to suppress it. Among the other acts of lenity extended to him, was a permission to enjoy the society of his friends. A short time before his trial, one of these remained with him to a very late hour of the night; when he was about to depart, Mr. Jackson accompanied him as far as the place where the gaoler usually waited upon such occasions, until all his prisoners' visitors should have retired. They found the gaoler in a profound sleep, and the keys of the prison lying beside



him "Poor fellow!" said Mr. Jackson, taking up the keys, "let us not disturb him; I have already been too troublesome to him in this way." He accordingly proceeded with his friend to the outer door of the prison, which he opened. Here the facility of escaping naturally struck him—he became deeply agitated; but after a moment's pause, "*I could do it,*" said he, "but what would be the consequences to you, and to the poor fellow within, who has been so kind to me? No! let me rather meet my fate." He said no more, but locking the prison door again, returned to his apartment. It should be added that the gentleman, out of consideration for whom such an opportunity was sacrificed, gave a proof upon this occasion that he deserved it. He was fully aware of the legal consequences of aiding in the escape of a prisoner committed under a charge of high treason, and felt that in the present instance it would have been utterly impossible for him to disprove the circumstantial evidence that would have appeared against him; yet he never uttered a syllable to dissuade his unfortunate friend. He, however, considered the temptation to be so irresistible, that expecting to find the prisoner, upon farther reflection, availing himself of it, he remained all night outside the prison door, with the intention, if Mr. Jackson should escape, of instantly flying from Ireland.



CONVICTION  
OF  
HENRY AND JOHN SHEARES.

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It was between seven and eight o'clock, on the morning of the 13th of July, 1798, when the jury retired to consider their verdict. After the deliberation of a few minutes, they returned it, finding both the prisoners guilty. As soon as the verdict was pronounced, the unfortunate brothers clasped each other in their arms. They were brought up for judgment at three o'clock on the same day, upon which occasion they both addressed the court.

Henry, who had a numerous family, was proceeding to request a short respite; but, when he came to mention his wife and children, he was so overwhelmed with tears, that he found it impossible to go on. His brother spoke with more firmness, and at more length. He began by strenuously disavowing the sanguinary intentions that had been imputed to him in consequence of the unpublished address to the insurgents which had been found in his hand writing, and produced in evidence against him. "The accusation (said he) of which I speak, while I linger here yet a few minutes, is 'that of holding out to the people of Ireland a direction to give no quarter to the troops fighting for its defence.' I cannot only acquit my soul of such an intention, but I declare, in the presence of that God before whom I

must shortly appear, that the favorite doctrine of my heart was—*that no human being should suffer death, but where absolute necessity required it.*”

After having spoken for a considerable time to the same effect he proceeded. “Now, my lords, I have no favor to ask of the court. My country has decided that I am guilty; and the law says that I shall suffer: it sees that I am ready to suffer. But, my lords, I have a favor to request of the court that does not relate to myself. I have a brother, whom I have ever loved dearer than myself;—but it is not from any affection for him alone that I am induced to make the request; he is a man, and therefore, I hope, prepared to die, if he stood as I do—though I do not stand unconnected; but he stands more dearly connected. In short, my lords, to spare your feelings and my own I do not pray that I should not die; but that the husband, the father, the brother, and the son, all comprised in one person, holding these relations, dearer in life to him than any man I know; for such a man I do not pray a pardon, for that is not in the power of the court; but I pray a respite for such time as the court in its humanity and discretion, shall think proper. You have heard, my lords, that his private affairs require arrangement. I have a further room for asking it. If immediately both of us be taken off, an aged and reverend mother, a dear sister, and the most affectionate wife that ever lived, and six children, will be left without protection or provision of any kind. When I address myself to your lordships, it is with the knowledge you will have of all the sons of our aged mother being gone: two perished in the service of the king, one very recently. I

only request, that, disposing of me with what swiftness either the public mind or justice requires, a respite may be given to my brother, that the family may acquire strength to bear it all. That is all I wish. I shall remember it to my last breath; and I will offer up my prayers for you to that Being who has endued us all with sensibility to feel. This is all I ask."

To this affecting appeal, Lord Carleton replied, "In the awful duty imposed on me, no man can be more sensibly affected than I am, because I knew the very valuable and respectable father and mother from whom you are both descended. I knew and revered their virtues. One of them, happily for himself, is now no more: the other, for whom I have the highest personal respect, probably, by the events of this day, may be hastened into futurity. It does not rest with us, after the conviction which has taken place, to hold out mercy, that is for another place; and I am afraid, in the present situation of public affairs, it will be difficult to grant even that indulgence which you, John Sheares, so pathetically request for your brother. With respect to one object of your soliciting time for your brother, unfortunately it could be of no use; because, by the attainder, he will forfeit all his property, real and personal: nothing to be settled will remain."

His lordship then, after some preliminary observations, pronounced sentence of death upon the prisoners; and, at the prayer of the attorney-general, directed that it should be executed upon them on the succeeding day.

The following is a copy of Mr. John Sheares' farewell letter to his family. It is addressed to his sister,

to whom he had been most tenderly attached. It may not have much literary merit; "but nature is there, which is the greatest beauty."

*"Kilmainham Prison—Wednesday night.*

"The troublesome scene of life is nearly closed; and the hand that now traces these lines, in a short time will be no longer capable of communicating to a beloved family the sentiments of his heart.

"It is now eleven o'clock, and I have only time to address my beloved Julia in a short, eternal farewell. Thou sacred Power!—whatever be thy name and nature—who has created us the frail and imperfect creatures that we are, hear the ardent prayer of one now on the eve of a most awful change. If thy Divine Providence can be affected by mortal supplication, hear and grant, I most humbly beseech thee, the last wishes of a heart that has ever adored thy greatness and thy goodness. Let peace and happiness once more visit the bosom of my beloved family. Let a mild grief succeed the miseries they have endured; and, when an affectionate tear is generously shed over the dust of him who caused their misfortunes, let all their ensuing days glide on in union and domestic harmony. Enlighten my beloved brother: to him and his invaluable wife grant the undisturbed enjoyment of their mutual love; and, as they advance, let their attachment increase. Let my Julia, my feeling, my too feeling Julia, experience that consolation which she has often imparted to others: let her soul repose at length in the consummation of all the wishes of her excellent heart: let her taste that happiness her virtues



have so well merited. For my other sisters provide those comforts their situation requires. To my mother,—O Eternal Power! what gift shall I wish for this matchless parent? Restore her to that peace which I have unfortunately torn from her: let her forget me in the ceaseless affections of my sisters, and in their prosperity: let her taste that happiness which is best suited to her affectionate heart; and when at length she is called home, let her find, in everlasting bliss, the due reward of a life of suffering virtue.

“Adieu, my dear Julia! My light is just out. The approach of darkness is like that of death, since both alike require me to say farewell! farewell, for ever! O! my dear family, farewell!—Farewell, for ever!

“J. S.”

In the cemetery of the church of St. Michael's in Dublin, there are vaults for the reception of the dead, of which the atmosphere has the peculiar quality of protracting for many years the process of animal decay. It is not unusual to see there the coffins crumbling away from around what they were intended forever to conceal, and thus giving up once more to human view their contents, still pertinaciously resisting the influence of time. In this place the unfortunate brothers were deposited; and in this state of undesigned disinterment their remains may be seen to this day, the heads dissevered from the trunks, and “the hand that once traced those lines” not yet mouldered into dust.



## DYING DECLARATION OF WILLIAM ORR.

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### MY FRIENDS AND COUNTRYMEN:

In the thirty-first year of my life, I have been sentenced to die upon the gallows, and this sentence has been in pursuance of a verdict of twelve men, who should have been indifferently and impartially chosen; how far they have been so, I leave to that country from which they have been chosen, to determine; and how far they have discharged their duty, I leave to their God and to themselves. They have, in pronouncing their verdict, thought proper to recommend me as an object of human mercy; in return, I pray to God, if they have erred, to have mercy upon them. The judge who condemned me, humanely shed tears in uttering my sentence; but whether he did wisely, in so highly commending the wretched informer who swore away my life, I leave to his own cool reflection, solemnly assuring him and all the world, with my dying breath, that the informer was foresworn. The law under which I suffer, is surely a severe one; may the makers and promoters of it, be justified in the integrity of their motives and the purity of their own lives. By that law, I am stamped a felon, but my heart disdains the imputation. My comfortable lot and industrious course of life, best refute the charge of being an adventurer for plunder: but if to have loved my country, to have known its wrongs, to have felt the injuries of

the persecuted Catholics, and to have united with them and all other religious persuasions, in the most orderly and least sanguinary means of procuring redress; if those be felonies, I am a felon, but not otherwise. Had my counsel, for whose honorable exertions I am indebted, prevailed in their motion to have me tried for high treason, rather than under the *insurrection law*, I should have been entitled to a full defence, and my actions and intentions have been better vindicated; but that was refused, and I must now submit to what has passed.

To the generous protection of my country, I leave a beloved wife, who has been constant and true to me, and whose grief for my fate has already nearly occasioned her death. I leave five living children who have been my delight; may they love their country as I have done, and die for it if needful.

Lastly, a false and ungenerous publication having appeared in a newspaper, stating certain alleged confessions of guilt on my part, and thus striking at my reputation, which is dearer to me than life, I take this solemn method of contradicting that calumny. I was applied to by the high sheriff, and the Rev. William Bristow, sovereign of Belfast, to make a confession of guilt, who used entreaties to that effect; this I peremptorily refused; did I think myself guilty, I should be free to confess it, but on the contrary, I glory in my innocence.

I trust that all my virtuous countrymen will bear me in their kind remembrance, and continue true and faithful to each other, as I have been to all of them. With this last wish of my heart, not doubting of the success

of that cause for which I suffer, and hoping for God's merciful forgiveness of such offences as my frail nature may have at any time betrayed me into, I die in peace and charity with all mankind.

WILLIAM ORR.

*Carrickfergus Gaol, October 5, 1798.*

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## THE TRIAL AND EXECUTION

OF

WILLIAM ORR,

*Are alluded to and detailed by Mr. Curran in his speech in defence of Finnerly in the following terms. (How horrid these means and agents of judicial murder!)*

LET me suppose that you had known the charge upon which Mr. Orr was apprehended, the charge of abjuring that bigotry which had torn and disgraced his country, of pledging himself to restore the people of his country to their place in the constitution, and of binding himself never to be the betrayer of his fellow-laborers in that enterprise; that you had seen him upon that charge removed from his industry and confined in a gaol; that through the slow and lingering progress of twelve tedious months you had seen him confined in a dungeon, shut out from the common use of air and of his own limbs; that day after day you had marked the unhappy captive, cheered by no sound but the cries of his family, or the clanking of chains; that you

had seen him at last brought to his trial; that you had seen the vile and perjured informer deposing against his life; that you had seen the drunken, and worn out, and terrified jury give in a verdict of death; that you had seen the same jury when their returning sobriety had brought back their conscience, prostrate themselves before the humanity of the bench, and pray that the mercy of the crown might save their characters from the reproach of an involuntary crime, their consciences from the torture of eternal self-condemnation, and their souls from the indelible stain of innocent blood. Let me suppose that you had seen the respite given, and that contrite and honest recommendation transmitted to that seat where mercy was presumed to dwell; that new and before unheard of crimes are discovered against the informer; that the royal mercy seems to relent, and that a new respite is sent to the prisoner; that time is taken as the learned counsel for the crown has expressed it, to see whether mercy could be extended or not! that, after that period of lingering deliberation passed, a third respite is transmitted; that the unhappy captive himself feels the cheering hope of being restored to a family that he had adored, to a character that he had never stained, and to a country that he had ever loved; that you had seen his wife and children upon their knees, giving those tears to gratitude, which their locked and frozen hearts could not give to anguish and despair, and imploring the blessings of eternal Providence upon his head, who had graciously spared the father, and restored him to his children; that you had seen the olive branch sent into his little ark, but no sign that the waters had subsided. "Alas!



nor wife, nor children more shall he behold, nor friends, nor sacred home!" No seraph mercy unbars his dungeon, and leads him forth to light and life; but the minister of death hurries him to the scene of suffering and of shame; where, unmoved by the hostile array of artillery and armed men collected together, to secure, or to insult; or to disturb him, he dies with a solemn declaration of his innocence, and utters his last breath in a prayer for the liberty of his country.

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## REYNOLDS.

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### NARROW ESCAPE OF REYNOLDS, THE INFORMER.

UPON one occasion Reynolds saved himself from the vengeance of those whom he had betrayed, in a way that was creditable to his presence of mind. Before he had yet publicly declared his infidelity to the cause of the United Irishmen, as one of their leaders, Samuel Neilson, was passing at the hour of midnight through the streets of Dublin, he suddenly encountered Reynolds, standing alone and unarmed. Neilson, who was an athletic man and armed, rushed upon him, and commanded him upon pain of instant death, to be silent and to accompany him. Reynolds obeyed, and suffered himself to be dragged along through several dark and narrow lanes, till they arrived at an obscure and retired passage in the liberties of Dublin. Here Neilson presented a pistol to his



prisoner's breast—"What," said the indignant conspirator, "should I do to the villain who could insinuate himself into my confidence for the purpose of betraying me?" Reynolds, in a firm tone, replied, "You should shoot him through the heart." Neilson was so struck by this reply, that, though his suspicions were not removed, he changed his purpose, and putting up his pistol, allowed the other to retire.

This fact is given as related by an eminent Irish barrister, to whom it was communicated by one of the parties.

## COCKAYNE, THE INFORMER.

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A FEW days before Cockayne had openly announced himself as an informer, he was invited to accompany Jackson to dine with a friend of the latter. After dinner, as soon as the wine had sufficiently circulated, Jackson, according to a previous suggestion from Cockayne, began to sound the political dispositions of the company, and particularly addressed himself to a gentleman of rank who sat beside him, and who, there has been subsequent reason to believe, was deeply involved in the politics of the time. During the conversation, Cockayne appeared to have fallen asleep; but in the midst of it, the master of the house was called out by his servant, who informed him that he had observed something very singular in Mr. Jackson's friend—"he has his hand," said the servant, "over his face, and pretends to be asleep, but when I was in the room just now, I could perceive the glistening of his eye through his fingers." The gentleman returned to his guests; and, whispering to him, who was conversing with Jackson, to be cautious in his language, probably prevented some avowal which might eventually have cost him his life. Upon such trivial accidents do the fates of men depend in agitated times!

THE END.















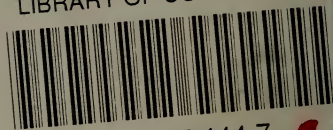
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